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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 10th September, 1959:—

Issue No.	No. and date	Issued by	Subject
131	S. O. 1960, dated the 4th September 1959.	Ministry of Commerce and Industry.	Appointment of a body of persons for the purpose of making a complete investigation into the circumstances of the Edward Mills Co. Ltd., Beawar.
132	S. O. 1961, dated September, 1959.	7th Ministry of Information and Broadcasting.	Approval of Films specified therein.
133	S. O. 2022, dated September, 1959.	9th Ministry of Commerce and Industry.	Appointment of a body of persons for the purpose of making a complete investigation into the circumstances of the Bengal Nagpur Cotton Mills Limited, Rajnandgaon (M.P.)
134	S. O. 2023, dated 10th September, 1959.	Do.	Granting recognition to the Central India Cotton Association Ltd., Ujjain, in respect of forward contracts in cotton.
	S. O. 2024, dated 10th September, 1959.	Do.	Granting recognition to the Central India Cotton Association Ltd., Ujjain, in respect of forward contracts in Cotton-seeds.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories)

ELECTION COMMISSION, INDIA

New Delhi, the 8th September 1959

S.O. 2026.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Order pronounced on the 20th August, 1959, by the Election Tribunal, Nagpur.

BEFORE J. M. SHETH, ESQUIRE, B. Sc., LL.B., MEMBER, ELECTION TRIBUNAL, NAGPUR

ELECTION PETITION No. 4 of 1959 (1 of 1959)

Mr. Laxmikant Mahadeo Chakradeo, Residing at 318 Charni Road, Bombay 4—
Petitioner.

Versus:

Mr. Madhava Shreehari Aney, M. P., Residing at Nagpur.—Respondent.

APPEARANCES:

Mr. V. T. Walvalkar and Mr. G. R. Samant, Advocates—for the Petitioner.

Mr. B. R. Mandlekar and Mr. G. J. Agarwal, Advocates—for the Respondent.

JUDGEMENT

(delivered this 20th day of August, 1959.)

1. This is an election petition, filed under section 81 of the Representation of the People Act, 1951, for a declaration that the election of the respondent, the returned candidate, to the House of Parliament, for a seat for the Parliament of India, from the Nagpur-Umrer Parliamentary Constituency, at the bye-election held on 31st January, and 1st February, 1959, is void.

2. The undisputed facts are as under:—

The present petitioner, the respondent and one Mr. B. D. Khobragade and one Mr. Haridas Awale, were the candidates, who had filed their nomination papers. The petitioner had filed his nomination paper on 16th December, 1958. 23rd December, 1958 was the date for scrutiny of the nomination papers. The nomination paper of the petitioner was rejected by the Returning Officer on the receipt of a telegram from the Election Commission, India, New Delhi, intimating to him that a disqualification had been imposed on him, by reason of the petitioner not having complied with the rules relating to the submission of the statement of accounts etc., of the election expenses that the petitioner had incurred at the time he contested the seat at the 1957 General Elections from the Shahdol Double Seat Constituency of the Madhya Pradesh. The main ground urged by the petitioner is that his nomination paper was improperly rejected by the Returning Officer.

3. The allegations made in the petition are, briefly stated, as under:—

On 22nd April, 1957, the petitioner sent his statement of election expenses, together with 84 vouchers in respect of the expenses incurred by him for the aforesaid election, to the Returning Officer, Shahdol. He could not send 19 more vouchers, which he had with him, as they were required by him for production before the Income-Tax Officer and, some of them, for production in the Court, in a proceeding, which the petitioner intended to file. Ex. A is a copy of the letter written by the petitioner to the Returning Officer, Shahdol, in connection with it. He was informed by the Election Commission, by the letter dated 16/18 September, 1957, that they had imposed a disqualification upon him, on the grounds, namely,

- (1) that the account was submitted late by one day;
- (2) that the expenditure incurred on the Assembly Constituency was included in the same accounts of Parliamentary Constituency;
- (3) that some vouchers were not included.

The said disqualification was notified on 29th August, 1957 and was to take effect from 29th October, 1957, unless it was removed before that date. Copy of that letter and Notification is Ex. B. Before 29th October, 1957, the petitioner made his representation to the Election Commission, on 18th October, 1957. 14 out of the retained vouchers were sent. The copy of the said representation is marked Ex. C. No reply was received. The petitioner, thereupon, got an impression that the authorities concerned were satisfied with his explanation and the disqualification automatically stood removed. On 17th April, 1958, he received a letter from the Election Commission, acknowledging the receipt of the representation dated 18th October, 1957; that the Returning Officer had reported that the petitioner had not still then filed the complete vouchers for all the expenses;

that out of 84 vouchers, only 14 had been sent with the representation; that the remaining vouchers should be filed with R. O. Shahdol; and that thereafter only, his request for the removal of the disqualification, could be considered. That letter is marked Ex. D. The petitioner was under the impression that the reference of non-sending of the complete vouchers, referred to none other than the 5 vouchers still remaining with the petitioner, out of the 19 vouchers originally withheld by him. As the said 5 vouchers were lying with his lawyer and they were required for filing some proceeding, he could not send them, immediately. He sent them to the Election Commission on 30th November, 1958, accompanied by an explanatory letter, why he could not send them earlier. Copy of the said letter was sent by the petitioner to the Returning Officer, Shahdol, under a separate covering letter of the same date, drawing his attention to the mis-understanding that was caused in the mind of the Election Commission, due to some letter, which the Returning Officer might have sent to the Election Commissioner. That letter is marked Ex. E. Though the letter to the Election Commission did not elicit any reply from them, the R. O. responded by the letter dated 8th December, 1958. He admitted therein 84 plus 14 plus 5, that is in all 103 vouchers, were received, and added that the fact was brought to the notice of the Election Commission. At the time of the scrutiny of the petitioner's election expenses, it was noticed that 84 vouchers were required, in addition to the vouchers sent by the petitioner, with the return of expenses, and, after considering the 14 and 5 vouchers sent later on, he required the petitioner to submit 65 more vouchers, pertaining to payments for petrol, other lubricants, pay to drives etc. Ex. F is a copy of the letter dated 8th December, 1958, referred to above. The petitioner sent a reply to that letter, by his letter dated 10th December, 1958, in which he pointed out that he was trying his best to get vouchers for the 65 items of expenses, brought to his notice, for the first time, by the Returning Officer, in that aforesaid letter. Substantial compliance of the rules regarding filing of expenses was secured and was carried out by the petitioner. Non-sending of vouchers for each and every item of expense could not be, on reasonable consideration of the rules in that respect, said to be of such a gravity, that it should automatically result into the Election Commissioner imposing a disqualification upon the petitioner, thereby disentitling the petitioner for standing for any election. He prayed for removal of the disqualification, imposed. In this letter, he had urged for the removal of the disqualification, urgently, as he was to contest the election, in question. The last date for filing the nomination for it, was 20th December, 1958. The copy of the said letter is Ex. G. The petitioner was able to secure vouchers for 28 items, out of the 65 suggested by the Returning Officer, in his letter dated 8th December, 1958, but there was no separate voucher for each item, as several of them, were grouped together, and, in all, there were 5 vouchers covering those 28 items. They were sent under a covering letter, dated 14th December, 1958, to the Election Commission. In that letter also, the attention of the Election Commission was drawn, to the fact, that is of urgency of removal of his disqualification, in view of his intention to contest the by-election in question. On 14th December, 1958, he had sent a similar letter to the Returning Officer. Ex. H is a copy of the two letters dated 14th December, 1958, written by him to the Election Commission and the Returning Officer. On 16th December, he filed the nomination paper. On 17th December, in the evening, he saw the Under Secretary to the Election Commission, inviting his attention to the urgency of the matter of removing the disqualification, imposed upon him. He was told to wait for a day or two, during which they would receive the necessary clarification and reply to their letter to him, dated 15th or 16th December, 1958. He handed over a letter dated 18th December, 1958. On 19th December, 1958, the petitioner obtained a voucher from the General Secretary, Bharatccya Jana Sangha, New Delhi, for further 14 items of expense out of the 65 and filed it with the Secretary, Election Commission, together with the affidavit. On 20th December, 1958, also, he and his advocate explained about the urgency to the Secretary to the Election Commission. He got an impression that the matter would be cleared up by 3 o'clock that day, which was Saturday. Nothing happened. He learnt that he should see the Election Commissioner on himself on Monday, the 22nd December, 1958. It appears that, presumably, the Election Commission intimated to the Returning Officer, Nagpur-Umrer Constituency, telegraphically, that the disqualification imposed upon the petitioner was not, till then, removed, and hence, the nomination paper filed by the petitioner would be rejected at the time of scrutiny at 11 a.m. on 23rd December, 1958, at Nagpur. Ultimately, the Returning Officer rejected his nomination paper on the ground of disqualification. The Election Commission has ultimately removed the disqualification imposed upon him, by the Notification dated the 21st January, 1959. There was inordinate delay made by the Election Commission in removing this disqualification. Another allegation made is that, obtaining of vouchers and lodging of vouchers, are not enjoined under the Act.

The disqualification imposed, therefore, was no disqualification, in law. The petitioner was a validly nominated candidate and his nomination paper has been improperly rejected. He was not given a hearing before imposing a disqualification and hence, also, it was bad in law. These are, in short, the allegations made in the petition.

4. The respondent, by his written statement, Ex. 2, contended *inter alia*, that the nomination paper of the petitioner was properly rejected by the Returning Officer. The petitioner has admitted, in his petition, that all the vouchers, so required, were not lodged prior to the Election Commission acting, as it admittedly did, under rule 134(3) and (4). He does not admit, how many vouchers the petitioner lodged with the Returning Officer and, how many, he did not. He does not also admit the reasons for which, and the circumstances in which, according to the petitioner, he failed to lodge the vouchers, which were, under law, needed to be lodged. They are also not relevant and are of no consequence. As the Election Commission has decided and declared that there was a failure on the part of the petitioner to do the needful, which resulted in his disqualification, it stood and was not removed by 23rd December 1958, the date of scrutiny of the nomination papers, held by the Returning Officer. He does not know about the removal of the disqualification, by the Election Commission. The effect of the removal of the petitioner's disqualification on 21st January 1959, could not be made to relate back to the material dates, but must commence only on 21st January 1959. His election is perfectly valid and is by no means void. As the matters stood on 23rd December, 1958, the Returning Officer had no option but to reject the petitioner's nomination paper. The petitioner's objections to the action taken and the procedure adopted by the Election Commission are not in order and can have, at any rate, no place, before the Election Tribunal in an election petition. The petitioner did not proceed according to law, and his conduct was anything but *bona fide* and diligent. In short, he urged that the petitioner's petition should be dismissed with costs.

5. The following issues were framed at Ex. 4.

Issues

1. Whether the petitioner proves that the Returning Officer, Nagpur had improperly rejected his nomination paper, as alleged by him?
2. Whether the petitioner proves that he was not disqualified to stand as a candidate for the Parliamentary seat in question on the material date?
3. What is the effect of the subsequent removal of the disqualification of the petitioner, by the Election Commission on the election of the returned candidate?
4. Whether the petitioner proves that it is within the powers of the Election Tribunal to go into the question that the Election Commission made an inordinate delay as alleged by him, in not removing the disqualification of the petitioner in due time without justifiable reasons?
- 4(a) Whether the disqualification imposed upon the petitioner as not valid and proper, according to law?
5. If so, whether the petitioner proves his allegations, regarding it and if so, what is its effect on the election of the returned candidate?
6. Whether the petitioner proves that the election of the returned candidate *viz.* the respondent is void on account of the rejection of the nomination paper of the petitioner?
7. What order as regards the relief and costs?

Issues Nos. 1, 2, 3, 4 and 4(a), being issues of law, were ordered to be decided as preliminary issues. Both the sides did not want to lead any evidence on those issues. Arguments were, therefore, heard on these preliminary issues. Shri V. T. Walwalkar and Shri G. R. Samant appeared for the petitioner. Shri B. R. Mandlekar and Shri G. J. Agarwal appeared for the respondent. The points, that arise for determination, are, therefore as under:—

- (1) Whether the petitioner proves that the Returning Officer, Nagpur, had improperly rejected his nomination paper, as alleged by him?
- (2) Whether the petitioner proves that he was not disqualified to stand as a candidate for the Parliamentary seat in question on the material date?
- (3) What is the effect of the subsequent removal of the disqualification of the petitioner, by the Election Commission, on the election of the returned candidate?

(4) Whether the petitioner proves that it is within the powers of the Election Tribunal to go into the question that the Election Commission made an inordinate delay as alleged by him in not removing the disqualification of the petitioner in due time, without justifiable reasons?

(4-a) Whether the disqualification imposed upon the petitioner as not valid and proper, according to law?

(5) What order?

My findings on these points are as under:—

On point No. (1).....No.

On point No. (2).....No.

On point No. (3).....No effect on the election of the returned candidate.

On point No. (4).....No.

No point No. (4-a).....It was valid and proper, according to law.

On point No. (5).....In view of my findings on these preliminary issues, the original issues Nos. 5 and 6 do not survive, and the final order to be passed, as under.

Reasons

6. In this election petition, a novel but interesting question arises. It is evident that the petitioner claims to have been duly nominated as a candidate at any election. He has prayed for a declaration, in this election petition, that the election of the returned candidate, the respondent, is void, on the ground that his nomination has been improperly rejected. It is, therefore, evident that, according to the allegations made by him in the election petition, and the relief, which he has claimed, is based on the ground mentioned in section 100(1)(c) of the Representation of the People Act, 1951. It is, therefore, evident that the election of the returned candidate can be declared to be void, only, if the petitioner proves that his nomination has been improperly rejected by the Returning Officer. It is an admitted fact that the petitioner had filed his nomination paper on 16th December 1958. It is also an admitted fact that the Returning Officer rejected his nomination on 23rd December 1958, as the disqualification imposed on the petitioner by the Election Commission as subsisting, then. The Notification, issued by the Election Commission, imposing this disqualification upon the petitioner, dated 29th August 1957, is filed by the petitioner along with his application at Ex. B. It is also an undisputed fact that this disqualification was to come into force from 29th October 1957. It is also an admitted fact that the Election Commission removed the disqualification imposed upon the petitioner, on 21st January 1959. The petitioner filed a true copy of this Notification along with his application Ex. 8. The learned Advocates for the respondent, ultimately, admitted that the said disqualification was removed by the Election Commission, on 21st January 1959.

7. Chapter III of Part II, of the Representation of the People Act, 1951, which will hereafter refer to as, the Act, deals with "Disqualifications". The material part of section 7, for our purposes, is section 7(c). It runs as under:—

"A person shall be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State—

If he has failed to lodge an account of his election expenses *within the time and in the manner required by or under this Act, unless three years have elapsed from the date by which the accounts ought to have been lodged or the Election Commission has removed the disqualification.*"

Section 8 of the said Act refers to certain Savings. The material part of that section, for our purposes, is section 8(1)(b). It runs as under:—

"Notwithstanding anything in section 7-a disqualification under clause (c) of that section, shall not take effect until the expiration of two months from the date on which the Election Commission has decided, that the account of election expenses has not been lodged within the time and in the manner required by or under this Act."

In view of these two sections, it is evident that there was a disqualification imposed upon the petitioner by the Election Commission, for his failing to lodge an account of election expenses, within the time and in the manner required by or under this Act and three years had not elapsed from the date by which the

account ought to have been lodged. The Election Commission had neither removed the disqualification on the date of the presentation of a nomination paper by the petitioner, nor was it removed on the date of scrutiny of nomination papers, by the Returning Officer. It has been removed on 21st January, 1959, that is prior to the dates of polling. It is also evident that the disqualification had also come into force much prior to the aforesaid dates. Section 4(d) of the said Act states that, a person shall not be qualified to be chosen to fill a seat in the House of the People other than a seat allotted to the State of Jammu and Kashmir..... unless, in the case of any other seat, he is an elector for any parliamentary constituency. Section 30 of the said Act deals with the question regarding appointment of dates for nomination etc. Section 32 of the said Act states that any person may be nominated as a candidate for election to fill a seat, if he is qualified to be chosen to fill that seat, *under the Provisions of the Constitution and this Act*. Section 33 of the Act deals with a question regarding presentation of nomination paper and requirements for a valid nomination. Section 36 of the Act deals with a question regarding scrutiny of nominations. Section 36(2)(a), which is material, for our purposes, runs as under:—

"The returning officer shall then examine the nomination papers and shall decide all objections, which may be made to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:—

- (a) that the candidate either is not qualified or is disqualified for being chosen to fill the seat under any of the following provisions that may be applicable, namely—

articles 84, 102, 173 and 191, and Part II of this Act.

Section 7, which I have already referred to above, falls under Part II of this Act. That disqualification was imposed and was subsisting on the date of the nomination papers, as well as the date of the scrutiny of nomination papers prior to the dates of polling, admittedly even according to the petitioner's allegations made in the petition. *Prima facie*, therefore, the Returning Officer was bound to reject the nomination of the petitioner, on the ground that he was disqualified for being chosen to fill the seat.

8. Section 53 of the Act deals with the procedure in contested and uncontested elections. If the number of contesting candidates is equal to the number of seats to be filled, the returning officer has to forthwith declare all such candidates to be duly elected to fill such seats. It is, therefore, evident that, if the petitioner and the respondent were the only candidates, for the seat in question, and the nomination of the petitioner was rejected, the Returning Officer had to declare immediately the respondent to be duly elected to fill the seat in question. The actual polling had to be done, as there were other contesting candidates and their nomination papers were valid.

9. To appreciate the rival contentions of the parties, I have referred to the aforesaid sections of the Act and will now refer to relevant sections and the rules, namely the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, which I will hereafter refer to as, the Rules. Before I advert to the relevant provisions of the Act and the Rules, it will be proper to refer to the main important argument advanced on behalf of the petitioner, by the learned Advocate Shri Walwalkar. The main argument was that the Act did not contemplate obtaining of any vouchers and lodging of vouchers. It contemplated keeping of an account of election expenses and lodging of an account. If the Rules contemplated obtaining of such vouchers and lodging of such vouchers and consequent disqualification to be imposed on the failure of obtaining and lodging of such vouchers, they were *ultra vires*, being in excess of the powers of the Rule Making Authority. If that argument of his was accepted, the disqualification imposed by the Election Commission upon the petitioner, was no disqualification in law and was to be of no effect and, eventually, the petitioner was a validly nominated candidate, and the rejection of his nomination, by the Returning Officer was, consequently, improper. I will examine this question on the assumption that the Election Tribunal has got powers to go into this question.

10. Chapter VIII of Part II of the Act, deals with the question regarding election expenses. Section 76 states that this Chapter shall apply only to the elections to the House of the People and to the Legislative Assembly of a State. Sections 77

and 78 are the most material sections, for the purposes of this election petition. Section 77 of the Act runs as under:—

- “(1) Every candidate at an election shall, either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent between the date of publication of the notification calling the election and the date of declaration of the result thereof, both dates inclusive.
- (2) The account shall contain such particulars, as may be prescribed.
- (3) The total of the said expenditure shall not exceed such amount as may be prescribed.

Section 78 runs as under:—

“Every contesting candidate at an election, shall within thirty days from the date of election of the returned candidate or, if there are more than one returned candidate at the election and the dates of their election are different, the later of those two dates, lodge with the returning officer an account of his election expenses which shall be a true copy of the account kept by him or by the election agent under section 77.

It has been contended by the learned Advocate Shri Walwalkar for the petitioner, that section 77 enjoins upon the candidate to keep a separate and correct account of election expenses, incurred by him etc. Section 78 further enjoins upon him, to lodge with the returning officer an account of his election expenses, which is to be a true copy of the account kept by him. He, therefore, contended that the candidate had merely to keep an account and file a true copy of a statement of account in the prescribed period with the Returning Officer. None of these sections enjoins upon the petitioner, the candidate, to obtain vouchers of the items of expenses incurred and lodging of such vouchers with the Returning Officer along with the statement of accounts. He contended that vouchers could not be covered within the meaning of accounts. Voucher was a sort of evidence in support of the account maintained. The framers of the law never contemplated the obtaining of such vouchers and lodging of such vouchers with the Returning Officer. He urged that sub-section (2) of section 77 states that the account shall contain such particulars, as may be prescribed. It is not stated therein, that the account shall contain such particulars as may be prescribed under the Rules. He, therefore, contended that, if any such particulars were prescribed under the Rules, the Rules Making Authority went beyond its powers. This argument of his is not well-founded. In section 2(j), the word ‘prescribed’ has been defined. It states that, in this Act, unless the context otherwise requires, ‘prescribed’ means, prescribed by rules made under this Act. The Rules in question have been framed by the Central Government in exercise of its powers under section 169 of the Act. The material part of that section runs as under:—

- (1) The Central Government may, after consulting the Election Commission, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
- “(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

* * * * *

- (i) any other matter required to be prescribed by this Act.

This section clearly indicates that the Central Government has been empowered, in consultation with the Election Commission, to make Rules for carrying out the purposes of this Act. It is a general power vested in the Central Government. In particular, the Central Government has been empowered to make such rules, for any other matter required to be prescribed by this Act.

11. At this stage, I will also refer to one another argument advanced by the learned Advocate Shri Walwalkar, on behalf of the petitioner. He urged that, if the word “prescribed” meant ‘prescribed by rules under this Act, it was meaningless to mention in this clause (i) of sub-section (2) of section 169 of the Act that the Central Government could frame rules for any other matter required to be prescribed by this Act. This argument is fallacious. This section gives a general power to the Central Government to make rules for carrying out the purposes of the Act and gives particular powers regarding certain matters specified therein.

One of these clauses gives powers to the Central Government to make rules, for any other matter required to be prescribed by this Act. If the words 'by this Act' were absent in that clause, there would have been an ambiguity about the question, what was the other matter required to be prescribed; it should be made clear, what was the other matter required to be prescribed and under what Act, it was required to be prescribed. These words were absolutely necessary to indicate in clear terms that the Central Government could make rules for any other matter, required to be prescribed by the Act in question and none of the other Acts. If the Rule Making Authority has framed rules for any other matter, we have to examine, whether that other matter was required to be prescribed, by the Act in question.

12. Section 77(2) of the Act states that the account shall contain such particulars, as may be prescribed. Section 2(g) of the Act states that 'Prescribed' means, 'prescribed by rules made under this Act'. The net result of reading of these two sections together, is, that the account shall contain such particulars, as may be prescribed by rules made under this Act. It is, therefore, evident that the Act states that the account has to contain such particulars, as may be prescribed by rules made under this Act. It is, therefore, evident that the Central Government had power to make rules, what particulars are to be contained in the account, to be kept by the candidate at an election. The Central Government had also powers to frame rules to carry out the purposes of the Act. In exercise of these powers, the Rules in question have been framed. It will be proper at this stage to refer to the relevant rules.

Part III of the said Rules deals with 'Election Expenses'. The relevant rule 131 runs as under:—

The heading of that rule is, 'Particulars of account of election expenses'.

"(1) The account of election expenses to be kept by a candidate or his election agent under section 77 shall contain the following particulars in respect of each item of expenditure from day to day, namely:—

- "(a) the date on which the expenditure was incurred or authorised;
- (b) the nature of the expenditure (as for example, travelling, postage or printing and the like);
- (c) the amount of the expenditure—
 - (i) the amount paid;
 - (ii) the amount outstanding;
- (d) the date of payment;
- (e) the name and address of the payee;
- (f) the serial number of vouchers, in case of amount paid.
- (g) the serial number of bills, if any, in case of amount outstanding;
- (h) the name and address of the person to whom the amount outstanding is payable.

(2) A voucher shall be obtained for every item of expenditure unless from the nature of the case, such as postage, travel by rail and the like, it is not probable to obtain a voucher.

(3) All vouchers shall be lodged along with the account of election expenses, arranged according to the date of payment and serially numbered by the candidate or his election agent and such serial numbers shall be entered in the account under item (f) of sub-rule (1)."

(4) *

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This rule clearly indicates that one of the particulars of the account, to be kept by the election candidate is, the serial number of vouchers, in case of amount paid. It is one of the particulars of the account. Sub-rule (2) of this rule further enjoins upon the election candidate, to obtain a voucher for every item of expenditure, except in the cases specified therein. Sub-rule (3) of the rule further states that, all such vouchers shall be lodged along with the account of election expenses, arranged according to the date of payment and serially numbered, by the candidate or his election agent. This rule clearly enjoins upon the election candidate or his agent to write the serial number of vouchers, in case of amount paid, in the account to be kept by him, and further enjoins upon him to obtain such vouchers and to lodge them with the election account of expenses. We have to read the sections 77 and 78, together, and read along with them, the said rule 131.

Section 77 enjoins upon the candidate at an election, to 'keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him.....' Sub-section (2) of it enjoins upon him to keep the account containing such particulars, as may be prescribed by rules under the said Act, and the total of the said expenditure has not to exceed such amount as may be prescribed.

Rule 135 of the Rules, prescribes the maximum election expenses. Section 78 of the Act further enjoins upon the candidate at an election, to lodge with the Returning Officer, an account of his election expenses, which is to be a true copy of the account kept by him or by his election agent, under section 77.

It is, therefore, evident that the account has to be kept containing such particulars, as may be prescribed under the Rules made under this Act, and a true copy of such an account kept by him or by the election agent, under section 77, has to be lodged with the Returning Officer, by a candidate at an election. It cannot, therefore, be said that obtaining of vouchers and lodging of vouchers are not contemplated by the Law Making Authority. The Legislature has prescribed the maximum limit of election expenses. If that purpose of the Act is to be carried out, there must be some checks to see, that the correct accounts are maintained. One of the important checks will be, naturally, the obtaining of vouchers and the maintaining of vouchers and lodging of vouchers. For carrying out this purpose of the Act, such rules have got to be framed. It cannot, therefore, be said that the Rule Making Authority, in framing these Rules, went beyond its powers. If the argument of the learned Advocate for the petitioner, that the Law Making Authority only contemplated lodging of an account maintained by the candidate at an election, was accepted as a true argument, there would be no sense in fixing up the maximum limit of election expenses, to be incurred.

13. Section 7(c) of the Act, which deals with this disqualification, states that, if a candidate at an election has failed to lodge an account of his election expenses within the time and in the manner required by or under this Act, unless three years have elapsed from the date by which the account ought to have been lodged, or the Election Commission has removed the disqualification, he shall be disqualified for being chosen..... It also indicates that a person will incur such a disqualification, if he fails to lodge an account of his election expenses *within the time and in the manner required by or under this Act*..... It also requires the lodging of an account of election expenses within the time and in the manner required by or under this Act. It is not only that the accounts are to be maintained; but they are to be maintained in the manner required by or under this Act. The law makers have advisedly used the words "in the manner required by or under this Act". They have not only used the words "in the manner required by this Act". They have also used the words "or under this Act". It suggests that they were conscious of the position that the manner of the keeping of the account and lodging of an account was to be done, in the manner required by or under this Act. The words "under this Act" would include, "in the manner required under the Rules framed under this Act", if the Act contemplated the making of such rules, for prescribing the manner of keeping the account and lodging of account. It will be pertinent to note, that sub-section (3) of section 169 of the Act, states that, all rules made under this Act shall, as soon as may be after they are made, be laid for not less than thirty days before both Houses of Parliament and shall be subject to such modifications, as Parliament may make, during the session in which they are so laid or the session immediately following. It is, therefore, evident that the law makers have not delegated their powers absolutely to the Central Government to make such rules, after consulting the Election Commission. The power of the Parliament, to modify those rules, has been kept intact. Its rules are liable to modifications, as the Parliament may make, during the session in which they are so laid or the session immediately following. Illustration (e) to section 114 of the Evidence Act states that the Court may presume that judicial and official acts have been regularly performed. In the absence of anything to the contrary, it can, therefore, be presumed that those Rules framed by the Central Government were laid, within the prescribed period, before the both Houses of Parliament, and they have not been modified by the Parliament during the session in which they were so laid or the session immediately following. For all practical purposes, therefore, these Rules are, as if the rules framed by the Parliament.

14. Article 324 of the Constitution of India deals with a question, regarding Power of Parliament to make provision with respect to elections to Legislatures. It runs as under:—

"Subject to the provisions of this Constitution, Parliament may from time to time by law make provision with respect to all matters relating

to, or in connection with, elections to either House of Parliament or to the House or either House of the Legislature of a State including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses."

It cannot, therefore, be said that the Parliament has exceeded in its powers in making such rules. I, therefore, reject this argument advanced, on behalf of the petitioner, by the learned Advocate, Shri Walwalkar.

15. Another argument advanced, alternatively, by the learned Advocate Shri Walwalkar was that, obtaining of vouchers was directory, that is recommendatory, and not mandatory. His argument was that the word "shall", which appears in sub-rule (2) of rule 131 of the Rules, should be read as the word "may". This argument of his, was based on the ground that obtaining of certain vouchers, such as postage, travel by rail and the like, in which it is not practicable to obtain a voucher, was not necessary. This argument of his is not well-founded. Taking into consideration reference to context, it only means that in certain cases of the type specified therein, where it is not practicable to obtain a voucher, it will not be necessary to obtain a voucher. It only means that certain exceptions are made in which case, it was not compulsory for a candidate at an election, to obtain a voucher. It cannot, by any stretch of imagination, be said that obtaining of vouchers was entirely left to the volition of the candidate at an election. If such a meaning is given, it will defeat the very spirit of this rule. The obtaining of vouchers was a salutary check; it was a good and sound check. The word "shall" cannot, therefore, be read as the word "may", as urged by the learned Advocate, Shri Walwalkar. This rule further enjoins to lodge all such vouchers, along with the account of election expenses, arranged according to the date of payment and serially numbered by the candidate or his election agent, and such serial numbers shall be entered in the account under item (f) of sub-rule (1). It clearly indicates that such vouchers have got to be obtained and lodged along with the account of election expenses and, in the account itself, such serial numbers have to be entered under item (f) of sub-rule (1). It is incumbent upon the candidate at an election, to keep accounts in the manner prescribed and to obtain such vouchers and to enter the serial number of such vouchers in the account, under item (f) of sub-rule (1). It is also incumbent upon him to lodge such an account, which is required to be kept in the manner prescribed. The failure to do it will result in a disqualification, if so found, by the prescribed authority.

16. It has been contended by the learned Advocate, alternatively, that the vouchers, which the petitioner did not send, were of the nature contemplated for the exceptions, referred to above. No such ground has been made out in the petition; nor such an argument is based on any data or any basis.

17. It has been further contended by the learned advocate Shri Walwalkar that imposition of a disqualification by the Election Commission, on this ground, without hearing the petitioner, offended the rules of natural justice. It should, therefore, be construed that the imposition of such a disqualification was void. This argument of his, is without any substance. Rule 132 of the Rules deals with a question regarding the notice to be given by the Returning Officer for inspection of accounts lodged by a candidate, under section 78. Rule 133 deals with a question regarding inspection of accounts and the obtaining of copies thereof. Rule 134 states about the report to be made by the Returning Officer, as to the lodging of the account of election expenses and the decision of the Election Commission, thereon. That rule runs as under:—

"(1) As soon as may be after the expiration of the time specified in section 78 for the lodging of the accounts of election expenses at any election, the returning officer shall report to the Election Commission—

- (a) the name of each contesting candidate;
- (b) whether such candidate has lodged his account of election expenses and if so, the date on which such account has been lodged; and
- (c) whether in his opinion such account has been lodged *within the time and in the manner required by the Act and these rules.*

(2) Immediately after the submission of the report referred to in sub-rule (1), the returning officer shall publish a copy thereof by affixing the same to his notice board.

- (3) As soon as may be after the receipt of the report referred to in sub-rule (1), the Election Commission shall consider the same and decide whether any contesting candidate has failed to lodge the account of election expenses within the time and in the manner required by the Act and these rules.
- (4) The Election Commission shall notify in the Official Gazette the names of contesting candidates who according to its decision, *have failed to lodge accounts of their election expenses, within the time and in the manner required by the Act and these rules*, and shall inform every such candidate of the decision.
- (5) Any contesting candidate whose name has been notified under sub-rule (4) may submit a representation in writing to the Election Commission for the removal of the disqualification incurred by him under clause (c) of section 7 with an explanation as to why the default was made in lodging the account of election expenses within the time and in the manner required by the Act and these rules.
- (6) Every such candidate shall at the same time send to the returning officer a copy of the representation and, if he has not already done so, an account of election expenses as required by the Act and these rules.
- (7) The returning officer shall within five days of the receipt thereof forward to the Election Commission the copy of the representation and the account (if any) with such comments as he wishes to make thereon.
- (8) The Election Commission shall, after considering the representation submitted by the candidate and the comments made by the returning officer and after such inquiry as it thinks fit, decide whether or not the disqualification incurred by the candidate under clause (c) of section 7 should be removed.

The perusal of these material sub-rules of rule 134 of the Rules, clearly indicates that a candidate, against whom, the Election Commission has taken a decision that he has failed to lodge account of his election expenses within the time and in the manner required by the Act and these rules, is provided with a remedy to redress the wrong, done to him. Sub-rule (5) empowers him to submit a representation in writing to the Election Commission, for the removal of the disqualification. The Election Commission has been also empowered under sub-rule (7), on receipt of such a copy of the representation, to invite the comments from the returning officer, if he wishes to make thereon. The Election Commission, then, considers the representation submitted by the candidate and the comments made by the returning officer and, after such inquiry, as he thinks fit, decides, whether the disqualification should be removed or not. The Rules have, thus provided a remedy. It cannot, therefore, be said that no hearing is given. On this ground also, this disqualification imposed cannot be said to be void. It will be pertinent to note that such a disqualification imposed, is not to take effect until the expiration of two months, from the date on which the Election Commission has decided that the account of election expenses has not been lodged within the time and in the manner required by or under this Act. Such a person, who has got a grievance, has been given sufficient time also to get the disqualification removed. There is, therefore, no offending of rules of natural justice. The disqualification imposed upon the petitioner was, therefore, quite valid and proper, in law. The petitioner has, therefore, failed to show that the disqualification imposed upon him was not valid and proper, according to law. I, therefore, decide the issue No. 4(a), in the negative.

18. It has been contended by the learned advocate Shri Walwalkar, that the disqualification, imposed upon the petitioner by the Election Commission, has been removed by it, on 21st January, 1959. The dates of polling for the election in question, were 31st January, 1959 and 1st February, 1959. The petitioner was, therefore, not disqualified for being chosen for the seat in question, on the dates of polling, in view of the removal of the disqualification imposed upon him by the Election Commission before the dates of polling. He, therefore, contended that he was a validly nominated candidate. In short, his argument was that this subsequent removal of the disqualification would relate back to the date of the presentation of a nomination, by the petitioner. In short, his argument was that the material dates were the dates of polling and not the dates during which the nomination papers were to be filed by a candidate, who intended to be a candidate at an election. Looking to the scheme of the Act, this argument is not well-founded. Nomination is an integral part of an election. Section 30 of the Act:

deals with a question regarding appointment of dates for nominations. Section 32 of the Act clearly states that any person may be nominated as a candidate for election to fill a seat, if he is qualified to be chosen to fill that seat, under the provisions of the Constitution and this Act. Section 36 deals with a question regarding the scrutiny of nominations. Sub-section (2) of that section enjoins upon the returning officer to examine the nomination papers and to decide all objections, which may be made, to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:—

- (a) that the candidate either is not qualified or is disqualified for being chosen to fill the seat under any of the following provisions that may be applicable, namely:—

articles 84, 102, 173 and 191 and Part II of this Act.

* * * * *

Section 7(c) is included in Part II of this Act. It is, therefore, evident that the Returning Officer is bound to reject the nomination, if the candidate, who has filed that nomination, is disqualified for being chosen to fill the seat under Part II of this Act. He has no other option. It is, therefore, evident that, if a nomination is of a person, who is disqualified, the returning officer is bound to reject it. The Tribunal is clothed with an authority to see, whether this nomination was improperly rejected by the returning officer. It means that the Tribunal becomes the appellate authority. The Tribunal will have, therefore, the same powers, as the returning officer had. The Tribunal will have to see, whether the returning officer had improperly rejected the nomination of the petitioner. If there was a disqualification imposed, subsisting on the date of the presentation of the nomination paper, or, at the most, on the date of scrutiny of nomination papers, the nomination paper has got to be rejected. The dates of polling cannot have any material bearing. Before the actual dates of polling, several formalities have got to be gone through. Under section 36(a), the returning officer is enjoined upon to prepare a list of validly nominated candidates, that is to say, candidates, whose nominations have been found valid, and affix it to his notice board, immediately after all the nomination papers have been scrutinised and decisions accepting or rejecting the same, have been recorded, by him. Section 37 of the Act deals with, withdrawal of candidature. Within the prescribed period, a candidate, who is validly nominated, is given a right to withdraw his candidature. Section 38 deals with, publication of list of contesting candidates. The voters have to exercise their votes only, for such contesting candidates. Section 53 of the Act deals with the procedure in contested and uncontested elections. If the number of such candidates is equal to the number of seats to be filled, the returning officer is enjoined to forthwith declare all such candidates to be duly elected to fill those seats. If the petitioner and the respondent were the only candidates at the election in question, and the nomination of the petitioner was found invalid, as found in the present case, the respondent would have been immediately declared to be duly elected. As it was, by chance that there were other candidates, the polling had to be done. It, therefore, clearly indicates that the law framers never intended that the validity of the nomination should depend upon such an uncertain event. This conclusion of mine gets support from a decision of an Election Tribunal, Vellore, reported in 1 *Election Law Report* 461 (P. N. Balasubramanian v. C. R. Narasimhan & others). The relevant observations made therein are as under:—

"The question of qualification or disqualification of a candidate has to be ascertained with reference to his status on the date of his nomination and a candidate whose name did not appear in any electoral roll on the date of his nomination does not become qualified to stand for election by getting his name entered on an electoral roll before the date of the scrutiny of the nomination papers and producing that electoral roll before the Returning Officer at the time of scrutiny."

In para 15 of the Judgment, at page 474, the decision in *Harford v. Linskey* (1899, 2 Q.B. 852) has been referred to. The observations made therein may be referred to, at this stage, with advantage.

"At page 858, Justice Wright observes thus:

In the absence of any guide, we think it safest to hold that in cases of elections under the Municipal Corporations Acts, a person, who at the time of nomination is disqualified for election in the manner in which this petitioner was disqualified, is disqualified also for

nomination. The nomination is for this purpose an essential part of the election, and if there are no competitors, it itself constitutes the election by virtue of the express words of section 56. A different construction might produce much confusion. On the nomination day, no one could know whether the persons nominated will at the poll be effective candidates or not. . . . It seems to us unreasonable to hold that the Act means to leave the matter in such a stage of uncertainty and for these reasons, we think that this petitioner was disqualified for nomination or election. The further observation of his Lordship is that 'it is not necessary to say whether the same conclusion would follow, if the disqualification was such as must necessarily cease at a time between nomination and poll' cannot be taken to mean, as the learned counsel for the petitioner contends, that the qualification relates back, but, on the other hand, must be read in the light of the provisions of section 12 of the Municipal Corporations Act, which was the subject of construction, and which provided that a person shall be disqualified for being elected and for being a councillor, if and while, he was so interested."

In a decision reported in 5 *Election Law Report* 336 (*Ram Chand v. Wadhawa Ram and others*), the Election Tribunal, Ludhiana, made the following instructive observations:—

"The material date for determining whether a candidate was qualified is the date of his nomination and if he was disqualified on that date, his nomination must be rejected, even though the disqualification was removed before the date fixed for scrutiny of nominations."

The relevant observations, which could be referred to with advantage, are made at page 392, in the body of the Judgment. They are as under:—

"The next question that arises is as to what would be the effect on the nomination papers of Shri Sher Singh, if he suffered from disqualification on the 5th November, 1951, i.e. the date of nomination, in case his disqualification was subsequently removed either on the date of scrutiny or a little after that. On that point, we find that it has been laid down in a case decided by the Election Tribunal, North Arcot, Vellore, entitled *P. N. Bhalasubramanian v. C. R. Narusimhan*, etc. (1 E.L.R. 461), that if a person suffered from disqualification on the date of nomination, the subsequent removal of the disqualification would not improve the matter. It was also laid down in that case that the material date in order to decide the eligibility of a candidate to stand for election is the date of nomination."

These two decisions are also a complete answer to the argument advanced by the learned Advocate Shri Walwalkar.

19. In a decision of the Election Tribunal, Patna, reported in 8 E.L.R. 45 (*Awadhesh Prasad Sinha v. Prabhathi Gupta and others*), the same view has been taken. The relevant observations made therein, are as under:—

"The question whether a candidate was qualified to be chosen as a member should be determined with reference to his status on the date on which his nomination paper is presented and not with reference to the date of scrutiny of the nomination papers. Consequently, if a person's name is not entered on the electoral roll as a voter on the date on which his nomination paper was presented, his nomination must be rejected, even though on an application made by him to the Election Commission before the date of scrutiny to include his name in the electoral roll."

The present case is stronger than all the three cases, referred to above. Even on the date of scrutiny of nomination papers, the disqualification imposed upon the petitioner was subsisting and it was not removed by the Election Commission. It was removed subsequent to the date of presentation of nomination paper of the petitioner as well as the date of scrutiny of nomination papers, for the election in question. If the argument, advanced on behalf of the petitioner, was accepted as a true argument, the result would be startling. The petitioner became disqualified for a fault on his part, in his past election. If the argument advanced was a true argument, he could sit silent and not take the opportunity of getting his disqualification removed and get his nomination paper rejected on the ground that he was disqualified. Before the date of actual polling, he can-

seize the opportunity of getting the disqualification removed. After the election, he can come to the Tribunal and contest the election of the returned candidate on the ground that his nomination was improperly rejected by the Returning Officer, as the qualification imposed upon him, has been removed by the requisite authority before the actual date of polling. Such a result could never be contemplated. This argument, in my opinion, is fallacious and cannot be accepted. I, therefore, reject it. The subsequent removal of the disqualification imposed upon the petitioner, by the Election Commission, has, therefore, no effect on the election of the returned candidate, that is the respondent. I, therefore, decide the issue No. 3, in the negative.

20. On the date of the scrutiny of the nomination papers, the disqualification imposed upon the petitioner was in effect. It is, therefore, evident that it cannot be said that the Returning Officer had improperly rejected the nomination paper of the petitioner. I, therefore, answer the issue No. 1, in the negative.

21. The petitioner has failed to prove that he was not disqualified to stand as a candidate for the Parliamentary seat in question on the material date, the material date being the date of presentation of nomination paper of the petitioner, as found by me above. I, therefore, answer the issue No. 2, in the negative.

22. The learned advocate for the petitioner fairly conceded, in the course of his arguments, that it was not within the powers of the Election Tribunal to go into the question, that the Election Commission made an inordinate delay, as alleged by the petitioner, in not removing the disqualification of the petitioner, in due time, without justifiable reasons. He fairly conceded that he could succeed only, if he was able to show, that the disqualification imposed on the petitioner was not valid and proper, according to law. As found by me above, he has failed to show that the disqualification imposed upon the petitioner was not valid and proper, according to law. Looking to the powers with which the Election Tribunal has been clothed under the Act, also, it is evident that it is not within the powers of the Election Tribunal to go into the question that the Election Commission made an inordinate delay as alleged by the petitioner, in not removing the disqualification imposed upon the petitioner in due time and without justifiable reasons. Part VI of the Act deals with disputes regarding elections. Section 80 or the Act states that no election shall be called in question except by an election petitioner presented in accordance with the provisions of this Part. Section 81 deals with presentation of election petitions. Section 86 deals with appointment of Election Tribunal. Section 92 of the Act deals with powers of the Tribunal. Section 98 of the Act deals with a question regarding a decision of the Tribunal. Section 99 of the Act deals with other orders to be made by the Tribunal at the time of making an order under section 98. Section 100 deals with grounds for declaring election to be void. The material part of that section, for our purposes, runs as under:—

“(1) Subject to the provisions of sub-section (2), if the Tribunal is of opinion—

(a) * * * * *

(c) that any nomination has been improperly rejected;

* * * * *

the Tribunal shall declare the election of the returned candidate to be void.”

Clause (d) of sub-section (1) of section 100 states, that the result of the election, in so far as it concerns a returned candidate, has been materially affected—

“(1) by the improper acceptance of any nomination, or

(ii) by any corrupt practice committed in the interests of the returned candidate by a person other than that candidate or his election agent or a person acting with the consent of such candidate or election agent, or

(iii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or

(iv) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act.”

the Tribunal shall declare the election of the returned candidate to be void. It is, therefore, evident that this Election Tribunal can declare the election of the returned candidate, that is the respondent, to be void, if it is of opinion that any nomination has been improperly rejected. It can also declare the election of the returned candidate to be void, if the result of the election in so far as it concerned a returned candidate, has been materially affected by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders, made under this Act. So far as this second instance is concerned, it is not suggested in the election petition, or in the course of arguments advanced by the learned advocate for the petitioner, that there has been any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act. It is not at all suggested in the election petition, or in the course of arguments, by the learned advocate for the petitioner, that by any such non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act, the result of the election, in so far as it concerns the respondent, has been materially affected. There is no such allegation made. The petition is a petition simpliciter, for declaring the election of the returned candidate to be void, on the ground that the petitioner's nomination has been improperly rejected, by the Returning Officer. On the contrary, the main argument advanced was that the Rules framed under this Act were in excess of the powers given to the Rule Making Authority, under the Act. Looking to the scheme of the Act, it is my opinion, that the Election Tribunal has no powers to go into the question that the Rules framed under this Act are *ultra vires* that is they are beyond the powers conferred on the Rule Making Authority, under the Act. This Election Tribunal is clothed with powers as circumscribed in the four-corners of this section 100. I am, therefore, of opinion that, even if the argument advanced by the learned advocate for the petitioner that the Rules were *ultra vires*, was correct, probably this Tribunal could not declare the election of the returned candidate, to be void. There is no provision in the Act, suggesting that this Election Tribunal could go into the question, whether the Election Commission had made any inordinate delay, as suggested, in removing the disqualification imposed upon the petitioner by it, without justifiable reasons. I, therefore, answer issue No. 4, in the negative.

23. In my opinion, this Election Tribunal cannot sit over the judgment of the Election Commission, on this ground. If the law framers or the citizens intend that there should be some forum to agitate such a question, appeal should be to the Parliament, and not to the Election Tribunal. The Election Tribunal has to act and decide things, within the four-corners of the Act. In a decision reported in A.I.R. 1954 S.C. 520 (Durga Shankar Mehta v. Raghuraj Singh and others), the Supreme Court has made certain observations, which can be referred to, with advantage, at this stage. They are as under:—

"The right of seeking election and sitting in Parliament or in a State Legislature is a creature of the Constitution and when the Constitution provides a special remedy for enforcing that right, no other remedy by ordinary action in a court of law is available to a person in regard to election disputes. *The jurisdiction with which the Election Tribunal is endowed is undoubtedly a special jurisdiction.....*"

At page 522, the following relevant observations have been made:—

"The non-obstante clause with which Article 329 of the Constitution begins and upon which the respondent's counsel lays so much stress debars us, as it debars any other court in the land, to entertain a suit or a proceeding calling in question any election to the Parliament or the State Legislature. *It is the Election Tribunal alone that can decide such disputes, and the proceeding has to be initiated by an election petition and in such manner as may be provided by a statute.*"

At page 524, the following observations have been made:—

"It would have been an improper acceptance, if the want of qualification was apparent on the electoral roll itself or on the face of the nomination paper and the Returning Officer overlooked that defect or if any objection was raised and enquiry made as to the absence of qualification in the candidate and the Returning Officer came to a wrong conclusion on the materials placed before him. When neither of these things happen, the acceptance of the nomination by the Returning Officer must be deemed to be a proper acceptance. It is certainly not final and the Election Tribunal may, on evidence placed before it, come to a finding that the candidate was not qualified at all. But

the election should be held to be void on the ground of the constitutional disqualification of the candidate and not on the ground that his nomination was improperly accepted by the Returning Officer. In our opinion, Mr. Sen is right that a case of this description comes under sub-section (2)(c) of section 100 and not under sub-section (1)(c) of the section as it really amounts to holding an election without complying with the provisions of the Constitution, and that is one of the grounds specified in clause (c) of sub-section (2). The expression 'non-compliance with the provisions of the Constitution' is in our opinion sufficiently wide to cover such cases where the question is not one of improper acceptance or rejection of the nomination by the Returning Officer, but there is a fundamental disability in the candidate to stand for election at all."

As already referred to above, no such ground is made out in the present case. The election petition is simpliciter, the election petition to declare the election of the returned candidate to be void, on the ground that the petitioner's nomination was improperly rejected by the returning officer. No materials have been put by the petitioner before this Election Tribunal to show that the petitioner's nomination was improperly rejected by the Returning Officer. On the contrary, his own admissions in the election petition show that a disqualification imposed upon the petitioner was subsisting on the material date. His own admissions in the election petition show that he had not obtained certain vouchers and had not lodged them, with the Election Commission, till 18th December, 1958. It is, therefore, evident that, till 19th December, 1958, the Election Commission also, could not have removed the disqualification imposed by it, upon the petitioner. It is, therefore, evident that, taking all facts mentioned in the election petition by the petitioner, to be true, the election of the returned candidate cannot be declared to be void, in law.

24. In a decision reported in A.I.R. 1955 S.C. 233 (Hari Vishnu Kamath v. Ahmad Ishaque and others), the following relevant observations have been made:—

"The word 'election' in Art. 329 (b) of the Constitution of India, is used in a comprehensive sense as including the entire process of election commencing with the issue of a notification and terminating with the declaration of election of a candidate."

"The practical bearing of the distinction between a provision which is mandatory and one which is directory is, that while the former must be strictly observed, in the case of the latter, it is sufficient that it is substantially complied with. Rule 41(c) of the Representation of the People Election Rules provides that a ballot paper shall be rejected. There can be no degrees of compliance so far as rejection is concerned, and that is conclusive to show that the provision is mandatory."

In a decision reported in A.I.R. 1955 S.C. 376 (Jugalkishore v. Raw Cotton Co. Ltd.), the Supreme Court has made the following observations:—

"The cardinal rule of construction of statutes is to read the statute literally, that is, by giving to the words used by the legislature their ordinary, natural and grammatical meaning. If, however, such a reading leads to absurdity and the words are susceptible of another meaning, the Court may adopt the same. But if no such alternative construction is possible, the Court must adopt the ordinary rule of literal interpretation.

In the present case, no such alternative construction is possible, and hence the Tribunal has to adopt the rule of literal interpretation. The argument, therefore, that, the obtaining of vouchers was recommendatory and the word "shall" should be read as the word "may", cannot be accepted, as a correct argument.

25. In the result, all the arguments advanced by the learned Advocate Shri Walwalkar, on behalf of the petitioner, fail. The petition fails on the preliminary issues, referred to above. In view of these findings of mine, on these issues, the original issues Nos. 5 and 6, framed at Ex. 4, do not survive. The result of these findings on the preliminary issues is that the election petition fails.

ORDER

J. M. SHETH,
Member,

The election petition stands dismissed. The petitioner is ordered to pay the respondent Rs. 200, by way of costs in the election petition and incidental to it.

Election Tribunal, Nagpur.

The 20th August, 1959.

New Delhi, the 11th September 1959

S.O. 2027.—In pursuance of sub-section (6) of Section 116A of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the decision of the High Court of Judicature at Madras given on the 7th July, 1959 on an appeal from the order dated the 15th March, 1958 of the Election Tribunal, Tiruchirappalli.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

*Tuesday, the seventh day of July,
One thousand nine hundred and fifty-nine
(16th Asadha, 1881 Saka)*

PRESENT:

The Honourable Mr. P. V. Rajamannar, Chief Justice, and The Honourable Mr. Justice Ganapatia Pillai.

APPEAL AGAINST ORDER NO. 234 OF 1958

K. Raja Chidambaram—Appellant (Petitioner)

Versus

1. Palaniandi	} Respondents (Respondents).
2. V. Boovaragasami	
3. Mannar Mannan	

Appeal against the order of the Election Tribunal, Tiruchirappalli dated 15th March 1958 and made in EP. No. 185 of 1957.

This appeal coming on for hearing, the court delivered the following—

JUDGMENT

(Judgment of the Court was delivered by the Hon'ble the Chief Justice)

This is an appeal against the order of the Election Tribunal, Tiruchirappalli in Election Petition 185 of 1957 in which the appellant before us one Raja Chidambaram sought to set aside the election held on 4th March 1957 for the Perambalur constituency to the Parliament of India. There were four candidates at the election, the petitioner, the first respondent, Palaniyandi, who was the returned candidate and the second and third respondents. The first respondent who stood on the Congress ticket and was declared elected secured 1,12,497 votes as against 27,165 votes secured by the petitioner. The election of the first respondent was sought to be set aside on several grounds. He was accused of corrupt practices by himself and by his agents. The corrupt practices which it is necessary to mention here in appeal are:

- (1) bribing of individual voters by paying each of them money;
- (2) paying lump sums to villages for amenities like radio or school building; and
- (3) treating, that is feeding the voters at the expense of the returned candidate.

As many as 51 witnesses were examined on behalf of the petitioner and 43 Exhibits were filed. The first respondent examined 17 witnesses and filed 29 exhibits. The learned Election Tribunal found that the petitioner had completely failed to establish any of the corrupt practices which were alleged against the first respondent. The only evidence which was adduced as regards the corrupt practices was oral evidence, evidence of witnesses who deposed that they were present at the time when the acts of corruption were committed by the first respondent and his agents. As none of the charges was established the petition was dismissed. The Tribunal characterized the petition as groundless and sought to be supported by perjured evidence and that it was born of spite, jealousy and frustration.

In appeal the learned counsel for the petitioner, appellant was unable to persuade us to come to a different conclusion on the strength of the evidence actually adduced on his behalf. His main argument was that the learned Tribunal

approached the consideration of the evidence from a wrong standpoint and allowed irrelevant factors to influence him in assessing the veracity of the witnesses. We shall briefly refer to some of the general observations made by the learned Judge to which exception was taken. But we may at the outset say that we are convinced that none of these observations has prevented the learned Judge from assessing the evidence on the merits. If he accepted the evidence on behalf of the respondent and rejected the evidence adduced on behalf of the petitioner it was not merely on any of the grounds to which we shall presently refer. Incidentally the learned Judge did take into account one or other of the general features to which he adverted but it cannot be said that his findings were vitiated by any wrong assumptions or legal misconceptions.

The learned Judge adverted to the fact that particulars of the persons who are said to have received bribes were not given. Nor even the streets where they lived. There was mention of certain persons as the alleged agents of the first respondent. Sufficient details as to their identification were not given. Here it must not be overlooked that none of the persons described as agents were election agents strictly speaking. They were really workers on behalf of the first respondent. The first respondent should be given sufficient information to identify the persons to enable him either to accept or deny that a particular person acted as his agent. It is the lacuna in this respect that the learned Judge commented upon.

Issues were framed on 27th July 1957 and the trial commenced on 14th August 1957. Nevertheless the petitioner did not file any list of witnesses. The trial began and nearly twenty witnesses had been examined on behalf of the petitioner and it was only on the 25th October 1957 that a list of witnesses was filed. In the circumstances we cannot say that the learned Judge was not justified in agreeing with the suggestion made on behalf of the first respondent that this conduct on the part of the petitioner was merely tactics to put any available person in the witness box to swear to one or other of the corrupt practices alleged. All that the learned Judge says in paragraph 6 of his judgment is that for the purpose of weighing the evidence he would remember all these facts. We cannot say that he made any error on following that course.

In assessing the value to be attached to the testimony of particular witnesses who deposed on behalf of the petitioner the learned Judge sometimes referred to the fact that the witnesses belonged to or were partisans of the Dravida Munnetra Kazhagam party which admittedly was opposed to the Congress Party. The first respondent was the official Congress candidate and obviously members of the Dravida Munnetra Kazhagam and supporters of that party would be interested in the defeat of the Congress candidate. In this connection it must not be forgotten that the Dravida Munnetra Kazhagam had set up their own candidate for the Assembly constituency. Election propaganda was going on both for the assembly and the parliamentary constituencies at the same time. We cannot say that the learned Judge committed any error in taking into consideration the fact that particular witnesses belonged to this party which was avowedly hostile to the Congress party to which the first respondent belonged in examining the truth of the statements made by such witnesses.

Learned counsel for the appellant took us through many of the paragraphs of the learned Judge's judgement. He was unable to point out any material inaccuracy or misstatement in the learned Judge's analysis of the depositions of the witnesses. One thing which is striking is that even the witnesses cited by the petitioner-appellant do not speak to the fact that the first respondent himself was present on the occasion when bribes were alleged to have been given to the voters. If the first respondent was not there then the onus is heavily on the petitioner to establish that the persons who offered the bribes, assuming that they did, were the agents of the first respondent, and that they offered the illegal gratification with the consent of the first respondent. No attempt was made to establish this part of the case.

The learned Judge after careful consideration of the evidence held that the petitioner had failed to establish any of the charges made by him against the first respondent and on the evidence the learned Judge was, in our opinion, perfectly right. The appeal fails and is dismissed with costs. Advocate's fee

(Sd.) R. RAGHANENDRA RAO,

Assistant Registrar, Appellate Side.

(True Copy).

New Delhi, the 12th September 1959

S.O. 2028.—In pursuance of sub-section (6) of Section 116A of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the decision of the Circuit Bench of the High Court of Punjab at Delhi given on the 26th May, 1959 on an appeal from the order dated the 25th August, 1958, of the Election Tribunal, Delhi.

IN THE CIRCUIT BENCH OF THE PUNJAB HIGH COURT AT DELHI
F.A.O. Case No. 100-D of 1959.

Shri Amir Chand—Appellant.

Versus

Shmt. Sucheta Kriplani—Respondent.

First Appeal from the order of Shri Kartar Singh Cambellpuri, Member, Election Tribunal Delhi, dated the 25th August, 1958, dismissing the petition.

Claim in original—Declaration that the election of the Respondent as a member to the Lok Sabha is void and that any person or persons found to have committed any corrupt practice be disqualified from membership of Parliament and of State Legislature of every State under section 140 of R.P. Act.

Claim in Appeal—The appeal is from order having been passed under section 98 of R.P. Act. The claim in appeal is that the election of respondent be held void and persons found guilty of having committed corrupt practices be named under section 99 of R.P. Act. Costs be allowed in favour of the appellant against the respondent throughout.

This the 26th of May, 1959.

PRESENT

Hon'ble Mr. Justice Bishan Narain.

Hon'ble Mr. Justice S. B. Kapoor.

Petitioner by—Shri R. P. Bansal, Advocate.

Respondent by—Sarv. Shri R. S. Narula and H. L. Anand, Advocates.

JUDGMENT

Amir Chand has appealed to this Court under section 116A of the Representation of the People Act (No. 43) of 1951 and it is directed against the decision of one member election tribunal whereby the election petition originally filed by Shrimati Gurcharan Kaur and taken over the same by him has been dismissed with costs.

In the general election of 1957 the Election Commissioner fixed 3rd March, 1957 as the polling date for the election to the Lok Sabha from Delhi. Five persons contested the election for the Lok Sabha from the New Delhi Parliamentary Constituency No. 394. In this constituency there were 1,92,684 voters out of which 104,161 exercised their right to vote. Smt. Sucheta Kriplani (Congress Party) obtained 76,450 votes, Bal Raj Madhok (Jan Sangh) obtained 22,728 votes while Smt. Gurcharan Kaur (Independent) and C. P. Aggarwal (Independent) obtained 3,771 and 877 votes respectively. Smt. Sucheta Kriplani was declared elected to the Lok Sabha. Smt. Gurcharan Kaur on 18th April 1957 filed an election petition (No. 117 of 1957) before the Election Commissioner for a declaration that the election was void. The election petition was duly published and the returned candidate was served with a copy thereof. By an application under section 108 of the Act Shrimati Gurcharan Kaur applied to the Election Commissioner for withdrawal of the election petition on 15th May, 1957. The Election Commissioner granted her leave to withdraw and notice of this withdrawal application was duly published under section 110(3)(b). On 14th June, 1957 Amir Chand, a registered elector, applied under Section 110(3)(c) to be substituted as petitioner in place of Smt. Gurcharan Kaur and for permission to prosecute the proceedings. This application was granted on 1st July, 1957. Shri Rameshwar Dayal was constituted single Member election tribunal and the election petition was referred to him in due course. Proceedings then commenced before the Tribunal. The respondent filed objections against the grant of leave to Amir Chand to prosecute the election petition. These objections were

however dismissed on 17th August, 1957. The respondent then filed a reply to the election petition and raised some preliminary objections. Two preliminary issues were framed. The Tribunal held that the persons who were alleged to have committed the corrupt practice by making oral statements regarding the withdrawal of Shmt. Gurcharan Kaur had not been specified in the petition. Amir Chand then applied for amendment of the petition by giving names of such persons to whom Shri Ranbir Singh had orally stated that Smt. Gurcharan Kaur had withdrawn from contest. The Tribunal dismissed this application for amendment by order, dated 7th December, 1957. It then framed issues on merits and recorded part of the evidence. Shri Rameshwar Dayal then went on long leave and Shri Kartar Singh Campbellpuri was appointed single member tribunal. He recorded rest of the evidence and dismissed the election petition with costs.

The election in this case is sought to be declared void under section 100(1)(b) of the Act i.e. on the ground of corrupt practice. Four items of corrupt practice are alleged in the petition in para. 9. This paragraph is sub-divided in four parts and each part describes a separate and distinct corrupt practice and full particulars thereof are given in separate four annexures. In substance these items of corrupt practice are as follows:—

- “(1) Shri Ranbir Singh, Editor of the *Milap*, an Urdu Daily, published as an item of news in his paper of 2nd March, 1957 that Gurcharan Kaur had retired from the contest. This publication amounted to corrupt practice under Section 123(4) of the Act and the election is liable to be set aside under section 100(1)(b) of the Act.
- (2) On 12th February, 1957 Shri Jawahar Lal Nehru exercised undue influence within the provisions of Section 123(2) of the Act by Coercing Shrimati Manmohani Sheghal to retire from the contest.
- (3) Smt. Sucheta Kriplani through her agents and other persons interested in her success issued a false statement in the *Milap* that she was going to be a Minister for Rehabilitation in the forthcoming Union Cabinet. This news was published in the *Milap* of the 3rd March, 1957. It is alleged in the petition that this news was false and amounted to corrupt practice. No provision of law has been cited in the petition but the allegations cover the provisions of section 123(4) of the Act.
- (4) The last ground related to keeping of accounts but as this ground was not pressed before us, it is not necessary to describe it.”

As I have already stated the Tribunal dismissed the petition by rejecting all these grounds.

Before considering the case on merits I may dispose of the appellant's objections to the dismissal of his application for amendment by the Tribunal. The election petition was originally made by Smt. Gurcharan Kaur. The particulars of the alleged corrupt practice relating to the retirement from contest were given in para. 9(a) of the petition and in Annexure A attached thereto. It was stated in paragraph 9(a) *inter alia* that the alleged false statement had been circulated orally by Shri Ranbir Singh through the agents and canvassers of the returned candidate. The respondent raised various objections to the particulars given therein including the objection that the allegations regarding oral circulation did not give full particulars as laid down in section 83(b) of the Act. This objection was upheld by the tribunal in its order dated 15th October, 1957 on the ground that the names of persons to whom Shri Ranbir Singh is alleged to have circulated the alleged false news have not been given in the petition. Thereupon Amir Chand applied under Section 90(5) for the amendment of the petition. This application was dismissed by order dated the 7th December, 1957. The appellant challenges the correctness of this order.

In the present case Shrimati Gurcharan Kaur filed a detailed petition and gave material facts and full particulars of each alleged corrupt practice as laid down in Section 83 of the Act. She however made only a general statement relating to oral circulation of the false statement regarding her withdrawal from contest. These particulars were sought to be supplied by Amir Chand appellant. The Supreme Court in *Harish Chandra Bajpai* and another *v. Triloki Singh* and another, A.I.R. 1957 S.C. 444 has laid down that charges of corrupt practices are quasi-criminal in character and the allegations thereto must be clear and precise. The Election Tribunal, *Trivandrum* in *Sivathanu Pillai v. Nesamony and Others*, 1 Election Law Reports 312 has held that allegation of corrupt practice must not be vague and general and must be clear and specific and in such particulars are

not given the Tribunal would not inquire into them. In the present case therefore the Tribunal was justified in refusing to allow the appellant to furnish these particulars after the expiry of period of limitation prescribed for filing election petitions. There is no reason whatsoever for interfering with this exercise of discretion by the Tribunal. I would therefore reject this contention.

In the present case Smt. Suchita Kriplani won the election with overwhelming majority. Her election is sought to be declared void by Amir Chand who has sympathy with Jan Sangh party which had lost the election. The ground alleged for this purpose is that the respondent was guilty having committed corrupt practices with the Election Law in the course of the election campaign. There is no charge that Smt. Suchita Kriplani or her election agent directly committed any corrupt practice nor is it argued before us that the corrupt practices alleged in the present case were committed with her or her agent's directions or with the previous knowledge or with their implied or express consent. All that has been urged before us is that Smt. Suchita Kriplani is responsible because Shri Ranbir Singh committed corrupt practice in the capacity of her implied or *de facto* agent and that Shri Jawahar Lal Nehru did so in her interest.

Before dealing with the charges I may reproduce the observations of Hidayat Ullah C. J. (now a Judge of the Supreme Court) in *Mangal Lal Bagdi Versus Hari Vishnu Kamath*, 15 Election Law Reports, 205 at page 209:

"The principles which should govern the decision of election disputes are now well settled. The charges of corrupt practices are quasi-criminal in character and allegations relating thereto must be sufficiently clear and precise to bring home the charges to the candidates: *Harish Chandra V. Triloki Singh* (12 E.L.R. 461). It is also well settled that the success of a candidate who has won at an election should not be lightly interfered with. However, one of the essentials of the law is also to safeguard the purity of the election process and to see that people do not get elected by corrupt practices: (*Jagan Nath V. Jaswant Singh* (9 E.L.R. 231) * * * * * His (Tribunal's) appreciation of evidence should not, therefore, be lightly interfered with, bearing in mind the fact that he had the benefit of having the witnesses before him and of observing the manner in which they deposed before him: *Sarju Parshad V. Jaleshwari* (A.I.R. 1951 S.C. 120)."

As the charges are quasi-criminal it follows that the petitioner must prove beyond reasonable doubt all the ingredients of the particular corrupt practice alleged as laid down in the Act and at no stage does the burden fall on the returned candidate to disprove any of the ingredients thereof. It further follows that on appeal the appreciation of evidence by the Tribunal should not be interfered with particularly when it has held that the corrupt practice alleged has not been proved. After all it must be presumed that the returned candidate is not guilty of corrupt practice unless the contrary is shown and this presumption is reinforced at the stage of appeal by the finding of the Tribunal. With these principles in mind I proceed to discuss the various allegations made in this case to get the election declared void.

The first charge of corrupt practice relates to the publication of a piece of news in the *Milap*, an Urdu Daily dated 2nd March, 1957. This statement reads:

"New Delhi—1st March—It has been learnt from a reliable source that Maharani Gurcharan Kaur of Nabha, a candidate for Lok Sabha, has decided to withdraw in favour of Shrimati Sucheta Kriplani (Congress). Her Lajpat Nagar New Delhi office was closed yesterday and today the account of Rajinder Nagar Propaganda Office has been settled by giving it a cheque of Rs. 200. Her workers 'told that the funds had been exhausted and no worker was willing to work. The Maharani is going to see Shrimati Sucheta Kriplani today at 10 P.M. She (Maharani) will tell her (Shrimati Kriplani) that the former has decided to withdraw her name in favour of the latter (Shrimati Kriplani). It is learnt that Maharani Gurcharan Kaur will make speeches in favour of Shrimati Sucheta from tomorrow and will ask the people to vote for congress. * * * * *

The appellant's case is that this publication amounts to corrupt practice within section 123(4) of the Act. Section 123(4) reads:—

"The publication by a candidate or his agent or by any other person of any statement of fact which is false, and which he either believes to be

false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature, or withdrawal, or retirement from contest, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election".

There can be no doubt that this statement which was published in the Milap was one of fact and related to withdrawal from contest of Smt. Gurcharan Kaur. The publication is therefore covered by this sub-section. All that remains to be considered now is whether (1) the statement was false, (2) its publisher believed it to be false or did not believe it to be true and (3) its publication was calculated to prejudice the prospects of Smt. Gurcharan Kaur's election. Unless all these three ingredients are proved by the appellant the publication of the statement cannot be held to be corrupt practice. It is necessary to deal with each ingredient separately.

The statement contains the following facts: (a) Shrimati Gurcharan Kaur has decided to withdraw in favour of Smt. Kriplani, (b) her offices at Lajpat Nagar and Rajinder Nagar have been closed and her funds exhausted and her workers were no longer willing to work and (c) Smt. Gurcharan Kaur will see Shrimati Kriplani at 10 P.M. on 1st March 1957 and inform her of her decision to withdraw her name from the contest in her favour and work for her. Facts (a) (c) relates to withdrawal of Gurcharan Kaur and not the fact (b). This news purports to have been received on 1st March 1957 from a reliable source. Now it is for the appellant to prove that the statements of facts made in (a) and (c) were false. The falsity of these facts could best be proved by the statement of Smt. Gurcharan Kaur and of her Election Agent Shri Gurcharan Singh. The falsity of news relating to her visit to Smt. Kriplani could be got corroborated by Smt. Suchita Kriplani.

Smt. Gurcharan Kaur has come into the witness box and has stated that she never decided to retire on 1st March 1957 and did not fix an interview with Smt. Suchita Kriplani and that the statement in the impugned publication was false. Smt. Suchita Kriplani has stated that suggestion of a meeting between them emanated from the side of Smt. Gurcharan Kaur but she did not accept the suggestion and no meeting on 1st March, 1957 at 10 p.m. was arranged between them. The position taken up by Smt. Gurcharan Kaur is supported by the fact that she immediately contradicted the news and took out a procession to inform the voters that she had not withdrawn from the contest. On the other hand Sh. Gurcharan Singh the Election Agent of Smt. Gurcharan Kaur has not been produced. He was a very important witness to prove the falsity of the statement published in the Milap and no explanation has been given for his absence from the witness box. Smt. Gurcharan Kaur has stated that on learning of this news her workers began to pack up things. This indicates that her election campaign had become slack and her workers had no hope of success in the election and readily believed that she had decided to retire although the news had appeared in the news paper which was hostile to her. No evidence has been produced to prove that the statement (b) in the Milap relating to exhaustion of funds and closure of her election office was false. It is quite possible that premature disclosure of her intended withdrawal led Smt. Gurcharan Kaur to contradict the news and to continue in the contest. The result of the election also indicates that she had not much chance of success in the election. Considering however all the circumstances and the fact that Smt. Gurcharan Kaur herself is not pursuing the election petition to bring all the relevant evidence on the record I am of the opinion that there is no cogent reason for disbelieving her on this matter. I would therefore hold that Smt. Gurcharan Kaur had not decided to withdraw from the contest and the news regarding her withdrawal appearing in the Milap dated the 2nd March 1957 was false.

The next question that arises is whether the publisher believed the news to be false or did not believe it to be true. The appellant has to prove this fact even though the news has been held to be false. I am conscious that proof of this belief in such circumstances is very difficult but the provisions of the Act must be complied with and the petitioner must prove this fact by direct or circumstantial evidence. There is no such evidence on the record. Shri Ranbir Singh has stated that he did not know of the news till he read it in the paper. He has further stated that his subsequent enquiry showed that the news had emanated from the camp of Smt. Gurcharan Kaur. Smt. Gurcharan Kaur's statement that the news was immediately believed by her workers who started acting there upon certainly gives an indication that the news may have emanated from her

camp. In any case her workers' reaction to the news showed that they considered it to be correct. If so, Shri Ranbir Singh and his staff were justified in believing the news to be correct whatever be its source. The subsequent contradiction at the instance of Sht. Gurcharan Kaur by Shri Ranbir Singh shows his *bonafide* and not that he believed the news to be false. No circumstances has been brought on the record that Shri Ranbir Singh could not believe the news to be correct. I have therefore no hesitation in holding that the appellant has failed to prove that Shri Ranbir Singh believed the news to be false or believed it not to be true.

The Supreme Court in *N. P. Ponnuswami v. Returning Officer, Namakkal Constituency and others*, 1952 S.C. Reports 218 has observed:

"The word 'election' has by long usage in connection with the process of election of proper representatives in democratic institutions acquired both a wide and a narrow meaning. In the narrow sense it is used to mean the final selection of a candidate which may embrace the result of the poll when there is polling * * * *. In the wide sense, the word is used to connote the entire process culminating in a candidate being declared elected * * * * *"

Reading section 123 of the Act as a whole it is clear that the word "election" has been used in narrow sense and means selection. If this were not so the imposition of the condition that the publication of the false news which was calculated to prejudice the prospects of the affected candidates election must be proved would be useless as publication of withdrawal of a candidate must necessarily deprive him of some votes at least. The reason is simple. In the present case there can be no doubt that on 2nd of March 1957 Sht. Gurcharan Kaur had no reasonable chance of election. Her election campaign had become very slack. Her workers had ceased to be enthusiastic as is clear from their reaction to the publication of a news in a hostile journal. The election agent of Sht. Gurcharan Kaur had not been produced to state how far if at all the publication of this news affected her prospects. Gurcharan Singh was in the best position to depose to this fact and his absence from the witness box is a clear indication that the prospects of Sht. Gurcharan Kaur were not prejudiced in any way by the publication of the news relating to her withdrawal. This conclusion is fortified by the actual result of the election in spite of her taking out procession for two hours in her constituency to show that she was still contesting the election. She got only 3,771 votes out of 104,161 votes cast in the election. It is for the petitioner to prove this ingredient of corrupt practice positively and this the appellant has failed to do. I am therefore of the opinion that the appellant has failed to prove that the prospects of Sht. Gurcharan Kaur's election were prejudiced by the publication of the news of her withdrawal.

It follows therefore that the appellant has failed to prove that Shri Ranbir Singh committed any corrupt practice by publication of the news of Sht. Gurcharan Kaur's withdrawal from the contest. That being so it is not necessary to discuss whether the election of Sht. Sucheta Kriplani should be declared void under section 100(1)(B) of the Act on account of publication of this false news. The point however was fully argued before us and it is only proper that I should express my view thereon.

The learned counsel for the appellant argued that the election of Sht. Sucheta Kriplani should be declared to be void under section 100 of the Act because (1) the corrupt practice committed by Shri Ranbir Singh was by her *de facto* agent with her implied consent and because, (2) if Shri Ranbir Singh was not her agent then Shrimati Sucheta Kriplani gave her consent (positive or implied) to the committal of this corrupt practice.

The question that arises is whether Shri Ranbir Singh is to be considered under the Election Law to be agent of the returned candidate. The word "agency" is defined in the explanation to Section 123 in these words:—

"In this section the expression 'agent' includes an election agent, a polling agent and any person who is held to have acted as an agent in connection with the election with the consent of the candidate."

It is with this definition that we are concerned in the present case. The allegation is that the corrupt practice was committed by an agent of the returned candidate. It is true that this definition is a wide one. But however widely it may be construed it cannot include a mere volunteer who canvasses for a candidate without any authority from him or his Election Agent (Bolton 20 'M & H. 14).

the returned candidate cannot be held responsible for any corrupt practice committed by a volunteer who has no such authority from the candidate. A person who is a mere supporter of the candidate who asks the voters for their votes and makes speeches in the candidate's favour cannot constitute him as an agent of the returned candidate. Grover J. in the Taunton case (20 'M & H. 66 at page 74) has described the legal position in these words:—

“****To Establish agency for which the candidate would be responsible, he must be proved by himself or by his authorised agent to have employed the persons whose conduct is impunged to act on his behalf, or to behave to some extent put himself in their hands or to have made common cause with them, for the purpose of promoting his election ***** mere non-interference with persons, who, feeling interested in the success of the candidate, may act in support of his canvass, is not sufficient, in my judgment to saddle the candidate with any unlawful acts of their of which, the Tribunal is satisfied he or his authorised agent is ignorant.”

In India also the position is the same (*vide Mathai Mathew Manjuran v. K. C. Abraham*, 10 ELR 376).

Now the petitioner contends that Shri Ranbir Singh acted as Shrimati Sucheta Kriplani's agent within election Law because (1) he canvassed for her from door to door (2) attended her corner meetings and (3) canvassed for her after the Purana Qila meeting of 24th of February, 1957 had finished.

The petitioner examined Narain Dass, P. W. 1, Munshi Ram, P. W. 2, Ram Lal, P. W. 3, Balraj Madhok, P.W. 4, Madan Mohan, P. W. 5, Mangat Ram, P. W. 7 and Hari Ram, P. W. 8, to prove door to door canvassing by Shri Ranbir Singh including canvassing after the Purana Qila meeting. P. W. 1, Narain Das and P. W. 3 Ram Lal have also deposed to Shri Ranbir's attending to corner meetings held at Paharganj on two different occasions. Shri Ranbir Singh and Shrimati Sucheta Kriplani have denied these allegations. The tribunal has rejected the petitioner's evidence and I see no ground for interfering with its conclusion. All these witnesses are members of or have sympathy with Jan Sangh party and their statements are rather vague.

In political contests it is not difficult to produce this kind of evidence. I therefore hold that the petitioner has failed to prove that Shri Ranbir Singh canvassed for the returned candidate.

There is no doubt that Shri Ranbir Singh wrote article in the Milap in favour of congress candidates and occasionally in favour of Sht. Sucheta Kriplani as such and also that he addressed a Purana Qila Meeting held to support her candidature. These activities however in my view cannot constitute Shri Ranbir Singh, an agent of Sht. Sucheta Kriplani. Something more must be proved. Shri Ranbir Singh has stated and there is no reason to disbelieve him that he is a congress man but the policy of the Milap in 1952 election was against the Congress party while its policy in 1957 election was in its favour. He also stated that he attended the Purana Qila meeting at the instance of the local congress committee and not at the instance of Shrimati Sucheta Kriplani. In this connection it must be borne in mind that there is no suggestion that Milap is run by the Congress party nor is there evidence of political or social relation between Sht. Sucheta Kriplani and Shri Ranbir Singh. There is also no evidence other than that discussed above that they were associated in the conduct of this election. There is no evidence of interchange of election information between them. Shrimati Sucheta Kriplani does not know and cannot read the Milap. It is well established that mere support of a candidate by a journal does not make its editor an agent of the candidate under the election Law (*vide Mathai Mathew Manjuran v. K. C. Abraham*, 10 ELR 376). There is absolutely no evidence that Shrimati Sucheta Kriplani gave any authority express or implied to Shri Ranbir Singh to support her candidature in her journal. For these reasons, I am of the opinion that the petitioner has failed to prove that Shri Ranbir Singh acted as Shrimati Sucheta Kriplani's agent in the general elections of 1957.

In view of the conclusion that Shri Ranbir Singh was not an agent of the returned candidate within the election law it is not necessary to decide whether a consent (express or implied) of the returned candidate or her Election Agent is to be proved for the particular corrupt practice when committed by an agent under the election law.

If Shri Ranbir Singh is to be considered as "any other person" within Section 123(4) and Section 100(1)(b) of the Act then there is no evidence what-so-ever to prove the consent (Implied or express) of the returned candidate for the publication of this news. It is true that Shrimati Suchita Kriplani did not contradict the news after it had appeared in the Milap of 2nd March 1957 but she was under no obligation to do so even if she came to know of it. The petition fails on this ground also.

To sum up the conclusion, the appellant has failed to prove that Shri Ranbir Singh committed corrupt practice within Section 123(4) of the Act and has also failed to prove that he acted as the agent of the returned candidate or committed corrupt practice with her consent. The result is that the first charge of corrupt practice levelled against Shrimati Suchita Kriplani fails and is rejected.

It will be convenient to discuss now the third allegation of corrupt practice at this stage. The Milap of 3rd March 1957 contained a news item purporting to be from Lucknow wherein it was stated that according to a member of the Congress High Command Shrimati Suchita Kriplani will be appointed Minister for Rehabilitation in the Ministry. The petitioner's case is that this news was false and amounted to corrupt practice within Section 123(4) of the Act. I am unable to accept this contention. The statement is not one of existing fact but speculates about the future. Section 123(4) relates only to statements of facts. In any case such a statement however false cannot be said to prejudice Shrimati Gurcharan Kaur's election to the legislature. Assuming that Shrimati Sucheta Kriplani is responsible for this statement for which there is absolutely no evidence, it is a laudatory statement in her favour and cannot possibly be said to be within Section 123(4) of the Act. I have no hesitation in holding that this charge has not been proved by the petitioner.

The learned counsel for the petitioner appellant then urged that this was a corrupt practice within Section 123(2) of the Act. He urged that this news had the effect of unduly influencing the voters to vote for Smt. Suchita Kriplani. I am unable to see any substance in this argument. This plea that this practice was governed by Section 123(2) was not taken in the election petition and it is too late to do so after the entire evidence has been recorded. On the merits also, I cannot see how the voters can be said to be unduly influenced and how such a news can be said to interfere with the election because the news was that the candidate may be appointed a Minister in a Cabinet to be constituted after the elections. After all the voting is by secret ballot and no voter can be said to be influenced by the fact that a particular candidate may or not be appointed a Minister. This contention therefore also fails and is rejected.

Now all that remains is to discuss the second charge. It relates to corrupt practice by exercise of undue influence i.e. to say by interfering with the electoral rights of Shrimati Man Mohani Sehgal by Shri Jawahar Lal Nehru. This charge is under Section 123(2) of the Act. The petitioner's case as stated in the petition is this "Shri Jawahar Lal Nehru who wields a stupendous force in India both as Prime Minister and acknowledged leader of Congress sent for Shrimati Man Mohani Sehgal on the evening of Tuesday, the 12th February 1957 at his residence through the General Secretary of the Congress party and exercised undue influence either with the consent of the respondent or in her interest on her (Shrimati Man Mohani Sehgal). This undue influence took the form of coercing Shrimati Man Mohani Sehgal to retire from the contest." The petitioner has produced three witnesses in support of this charge Shrimati Man Mohani Sehgal, P.W. 19, Shri Jawahar Lal Nehru, P.W. 22 and Shri Shriman Narain P.W. 27. Their statements give a picture of what transpired at that time with the exception that it is not clear whether Shri Jawahar Lal Nehru sent for Smt. Man Mohani Sehgal or she sought the interview with him.

The picture that emerges from these statements is this. Shrimati Man Mohani Sehgal is an old and active member of the Congress party since 1928. The Congress party has constituted a body called the Congress Parliamentary Board. This Board chooses persons who should be allowed to contest the elections on the Congress ticket. In the 1952 General Elections Smt. Man Mohani Sehgal fought the election from this very constituency on congress ticket. She was opposed amongst others by Smt. Kriplani who fought the election on the Kisan Mazdoor Praja party ticket. Smt. Man Mohani Sehgal was defeated by about 8,000 votes. In 1957 she again applied for this congress ticket and so did Smt. Sucheta Kriplani who had in the meanwhile (only a few months earlier) joined the Congress party. The Parliamentary Board chose Smt. Sucheta Kriplani and rejected the application of Smt. Man Mohani Sehgal. This decision had the approval of Shri Jawahar Lal Nehru who was a member of the Board. Shrimati Man Mohani Sehgal then filed

nomination papers as an independent candidate. As this meant a contest between two members of the same party the All India Congress Committee asked Shmt. Man Mohani Sehgal to withdraw the nomination but she refused. Thereupon the Delhi Pradesh Congress suspended her from the membership and then expelled her from the Congress party along with her workers who are stated to be about 200. It was in these circumstances that an interview took place between her and Shri Jawahar Lal Nehru on 12th February 1957. It is obvious that this contest between members of the same party must have been unpalatable to the officers of the Congress party while Shmt. Man Mohani Sehgal must have been equally unhappy for fighting against her own party. As both sides must have been anxious to resolve this difficult position it is really not material as to who initiated the proposal of an interview between Shri Jawahar Lal Nehru and Shmt. Man Mohani Sehgal. The purpose of this interview was to resolve this difficulty and Shri Nehru was selected for the obvious reason that Shmt. Man Mohani Sehgal is closely related to Shri Jawahar Lal Nehru who is also accepted leader of the Congress party. The meeting took place on 12th of February 1957 at the residence of Shri Jawahar Lal Nehru. This was not her first visit to the residence of the Prime Minister as she had been there many times previously. No body else was present at the interview. What transpired in the meeting is clear. As leader of the Congress party Shri Jawahar Lal Nehru according to him asked her in the interest of the discipline of the Congress Organization to abide by the decision of the Congress Parliamentary Board and not to leave the party of which she had been an active member for a long time. She thought that her withdrawal from contest will not have the approval of the public on which Shri Jawahar Lal Nehru said that she should consult her workers and should convey to them his advice to her. Shrimati Man Mohani Sehgal did not come to any decision at that time. Next day she consulted her workers who advised her to respect Shri Jawahar Lal Nehru's wishes. She then withdrew from the contest.

From the narration of these facts it is clear that Shri Jawahar Lal Nehru did not exercise this influence as a relation or as a leader of the party which he could well have done but only tendered advice to Shrimati Man Mohani Sehgal and told her to decide after consulting her workers. I am unable to see how this advice can be said to be exercised undue influence or to be interference with the electoral right of Shrimati Man Mohani Sehgal. No suggestion was made before us that Shri Jawahar Lal Nehru was actuated at that time with any improper motive or any improper consideration. A political leader is within his rights to keep discipline in his party and to stop party rift therein particularly at the time of general elections. When a political leader exercises this right then it cannot be said to be exercise of undue influence.

The learned counsel for the petitioner appellant argued that Shri Jawahar Lal Nehru is so popular in this country that expression of any wish by him amounts to exercise of undue influence. I am unable to understand this argument. If the learned counsel is correct then neither Shri Nehru nor any political leader who is said to be popular with the public can ever take part in any election. This is an impossible position and must be rejected as in that case the parliamentary system cannot at all function. The course adopted by Shri Jawahar Lal Nehru in the present case cannot by any stretch of imagination be considered to be interference with the electoral rights of Smt. Man Mohani Sehgal however wide meaning may be given to the word "interference" in Section 123(2) of the Act. This charge therefore also fails and is rejected.

No other point arises in the case.

The result is that this appeal fails and is dismissed with costs which are assessed at Rs. 250/-.

(Sd.) BISHAN NARAIN,

Judge.

26-5-59.

I agree.

(Sd.) S. B. CAPOOR,

Judge.

MEMO OF COSTS

Memo of costs incurred by the Respondent in this Court as Taxed by the Officer of the Court payable by the appellant.

SEAL	By Respondent
	Rs. nP.
Counsel's fees.	250 00
Total	250 00

(Rupees two hundred and fifty only).

Words 8050.

Cost. 20.25 nP.

(Sd.) C. L. MEHRA,
Assistant Registrar.
[82/117/57/16305.]

By order,
C. B. LAL, Under Secy.

New Delhi, the 9th September 1959

S. O. 2029.— In exercise of the powers conferred by section 21 of the Representation of the People Act, 1951 (XLIII of 1951), the Election Commission in consultation with the Government of Madhya Pradesh hereby designates for each of the Parliamentary constituencies in the State of Madhya Pradesh as determined by the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, and specified in column 1 of the Table below, the Officer specified in the corresponding entry in column 2 of that Table to be the Returning Officer.

TABLE

Name of the Constituency	Returning Officer
1	2
165. Gwalior	Collector, Gird (Gwalior).
166. Shivpuri	Collector, Shivpuri.
167. Guna	Collector, Guna.
168. Shajapur	Collector, Shajapur.
169. Ujjain	Collector, Ujjain.
170. Mandasaur	Collector, Mandasaur.
171. Jhabua	Collector, Jhabua.
172. Indore	Collector, Indore.
173. Nimar	Collector, Nimar (Khargone).
174. Bhopal	Collector, Sehore.
175. Sagar	Collector, Sagar.
176. Jabalpur	Collector, Jabalpur.
177. Hoshangabad	Collector, Hoshangabad.
178. Nimar (Khandwa)	Collector, Nimar (Khandwa).
179. Chhindwara	Collector, Chhindwara.
180. Mandla	Collector, Mandla.
181. Balaghat	Collector, Balaghat.
182. Durg	Collector, Durg.
183. Bastar	Collector, Bastar.
184. Raipur	Collector, Raipur.
185. Baloda Bazar	Collector, Raipur.
186. Surguja	Collector, Surguja.
187. Janjgir	Collector, Bilaspur.
188. Bilaspur	Collector, Bilaspur.

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189.	Shahdol	Collector, Shahdol.
190.	Rewa	Collector, Rewa.
191.	Khajuraho	Collector, Chhatarpur.

2. The Election Commission's Notification No. 434/6/56, dated the 7th January, 1957, is hereby cancelled.

[No. 434/6/59.]

By Order,

S. C. ROY, Secy.

MINISTRY OF LAW

(Department of Legal Affairs)

New Delhi, the 14th September 1959

S.O. 2030.—In exercise of the powers conferred by clause (1) of article 299 of the constitution, the President hereby directs that all agreements and other instruments connected with loans granted to the Bharat Sewak Samaj for the purpose of incurring expenditure on works undertaken by the Samaj on projects in the Irrigation and Power Sector, shall be executed on his behalf by the Deputy Secretary (Co-ordination) to the Government of India in the Ministry of Irrigation and Power.

[No. F. 17(4)/59-J.]

P. K. BOSE, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 8th September 1959

S.O. 2031.—The following draft of the Andaman and Nicobar Islands Economiser Rules, 1959, which the Central Government proposes to make in exercise of the powers conferred by Section 29 read with Section 30 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of Section 31 of the said Act for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 1st November, 1959.

Any objections or suggestions received from any person with respect of the said draft before the date specified, will be considered by the Central Government in the Ministry of Home Affairs to whom objections and suggestions should be addressed.

[No. 58/2/59-ANL.]

A. D. SAMANT, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 11th September 1959

S.O. 2032.—In exercise of the powers conferred by section 4 of the Foreign Jurisdiction Act, 1947 (47 of 1947), the Central Government hereby makes the following further amendment to the Karaikal Cultivating Tenants' Protection (No. 2) Order, 1958, namely:—

In clause 2 of the said Order, for the words "one year", the words "one year and three months" shall be substituted.

[No. F. 36-1/58-Eur.W.]

A. DAS GPUTA, Under Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 7th September 1959

S.O. 2033.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to make the following amendment in the Delegation of Financial Powers Rules, 1958 namely:—

Amendment No. 4.

In the said Rules, in Schedule VII (Powers to write off losses) the following shall be substituted as powers of Departments of the Central Government and Administrators:

Nature of loss	Authority	Monetary limit upto which the loss may be written off in each case
1	2	3
Irrecoverable losses of stores or of public money.	Departments of the Central Government.	Rs. 25,000 For losses of stores not due to theft, fraud or negligence. 10,000 For other cases.
	<i>Administrators.</i>	
	(i) Lieutenant Governor, Himachal Pradesh.	5,000
	(ii) Chief Commissioner, Delhi.	5,000
	(iii) Other Administrators	2,500.
Loss of revenue or irrecoverable loans and advances.	Department of Revenue	(i) Full powers to write off losses of irrecoverable revenue. (ii) Other cases Rs. 10,000.
	Other Departments of the Central Government.	Rs. 10,000
	Administrators	Same as for irrecoverable losses of stores or of public money.
Deficiencies and depreciation in the value of stores included in the stock and other accounts.	Departments of Central Government.	Rs. 10,000
	Administrators	Same as per irrecoverable losses of stores or of public money.

(This amendment shall take effect from 20-3-1959).

[No. F. 12(6)-E. II(A)/59.]

R. R. SAVOOR, Dy. Secy.

(Department of Expenditure)

New Delhi, the 10th September 1959

S.O. 2034.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and all other powers hereunto enabling, the President, after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following further amendment in the Civil Service Regulations namely:—

In the said Regulation, for clause (b) of article 418, the following shall be substituted, namely:—

“(b) Resignation of an appointment to take up, with proper permission, another appointment, whether permanent or temporary, Service in which counts in full or in part, is not a resignation of public service.

In cases where an interruption in service is inevitable due to the two appointments being at different stations, such interruptions, not exceeding the joining time permissible under the rules on transfer, shall be covered by grant of leave of any kind due to the Government servant on the date of relief or by formal condonation under article 422 to the extent to which the period is not covered by leave due to the Government servant."

[No. F. 8(30)-E. V./59.]

New Delhi, the 12th September 1959

S O. 2035.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and all other powers hereunto enabling, the President, after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following further amendments in the Civil Service Regulation, namely:—

In the said Regulations, in article 934, the following Explanation shall be inserted at the end, namely:—

"Explanation for the purposes of this article and articles, 934A, 934B, 934C, 934D and 935, the expression 'non-Indian' means a person who on the date of his retirement was a citizen of a country other than India."

[No. F. 9(14)-EV/57.]

R. S. BERY, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 9th September, 1959

S.O. 2036.—Statement of the Affairs of the Reserve Bank of India, as on the 4th September 1959.

BANKING DEPARTMENT

LIABILITIES		ASSETS	
	Rs.		Rs.
Capital paid up	5,00,00,000	Notes	22,36,39,000
Reserve Fund	80,00,00,000	Rupee Coin	2,57,000
National Agricultural Credit (Long-term Operations) Fund	30,00,00,000	Subsidiary Coin	7,24,000
National Agricultural Credit (Stabilisation) Fund . . .	4,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal . . . . .	..
(a) Government		(b) External . . . . .	..
(1) Central Government	65,35,73,000	(c) Government Treasury Bills	5,39,47,000
(2) Other Governments	23,81,82,000	Balances held abroad*	21,22,67,000
(b) Banks	70,19,38,000	Loans and Advances to Governments	16,57,69,000
(c) Others	121,81,72,000	Other Loans and Advances†	72,96,85,000
Bills Payable	18,72,50,000	Investments	283,10,74,000
Other Liabilities	12,10,55,000	Other Assets	9,28,08,000
Rupees	431,01,70,000	Rupees	431,01,70,000

Dated the 9th day of September 1959.

*Includes Cash & Short term Securities.

†The item 'Other Loans and Advances' includes Rs. 10,00,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

RESERVE BANK OF INDIA

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 4th day of September 1959.

ISSUE DEPARTMENT

LIABILITIES		ASSETS	
	Rs.		Rs.
Notes held in the Banking Department	22,36,39,000	A. Gold Coin and Bullion :—	
Notes in circulation	1664,91,08,000	(a) Held in India	117,76,03,000
Total Notes issued	1687,27,47,000	(b) Held outside India . . . . .	..
		Foreign Securities	163,00,89,000
		TOTAL OF A	280,76,92,000
		B. Rupee Coin	135,31,94,000
		Government of India Rupee Securities	1271,18,61,000
		Internal Bills of Exchange and other commercial paper . . . . .	..
TOTAL LIABILITIES	1687,27,47,000	TOTAL ASSETS	1687,27,47,000

Dated the 9th day of September 1959.

H. V. R. IENGAR,
Governor.
[No. F.3(2)-BC/59.]
A BAKSI, Jt. Secy.

(Department of Economic Affairs)

New Delhi-2, the 10th September, 1959

REPORT OF THE CENTRAL BOARD OF DIRECTORS OF THE
RESERVE BANK OF INDIA

For the year July 1, 1958—June 30, 1959

S.O. 2037.—In accordance with Section 53(2) of the Reserve Bank of India Act, 1934, the Central Board of Directors has submitted to the Government of India the following report on the working and accounts of the Bank for the year ended June 30th, 1959.

DEVELOPMENTS IN THE ECONOMY

General.—During the year under review, there was a marked slowing down of the rate of decline of foreign exchange reserves. The deficit in the Government budget also recorded a significant decline. A substantial increase in the output of foodgrains was another feature of the year, though the food situation is still not free from some anxiety. The rate of growth of industrial output, however, has been rather small, though in the latter half of the year some improvement was discerned. The sharp decline in imports appears to have contributed to the slowing down of industrial production and investment in the private sector, though the rising trend of share prices suggested a revival of investors' confidence. Outlay on the Plan in the public sector, however, recorded a further rise. Overall economic activity, judging from such indicators as railway wagon loadings and bank debits, appears to have recorded a rise during the year. The price situation continued to cause some concern during the greater part of the year. There was also a rather sharp expansion of money supply and bank credit in comparison with the year 1957-58, which, it may be recalled, was characterised by unusually slack conditions. On the whole, the economic outlook, which at about the beginning of the year was somewhat obscure, with doubts about the successful implementation of the revised targets of the Plan, showed a distinct improvement in the course of the year, an important contributory factor being the enlarged flow of foreign aid.

2. The keynote of credit policy continued to be one of general restraint, with specific encouragement to sectors which stood in need of special assistance. The Bank continued to exercise restraint on credit through the flexible operation of selective credit controls and also through moral suasion. At the same time, the debt management policy was so operated as to absorb a substantial portion of the additional liquid reserves of the banking system. Progress was also made during the year in the spheres of expansion of commercial bank branches, co-operative credit and industrial finance.

3. **Production Trends.**—Overall agricultural production declined sharply during 1957-58, the general index (1949-50=100) declining by 8.4 per cent to 113.4, due to extremely unfavourable weather conditions. The foodgrains index fell by 11 per cent (the fall in terms of tonnage being from 68.7 million to 62.0 million) while the decline in the case of non-foodgrains was 3.6 per cent. In 1958-59, however, total agricultural production, as indicated by available provisional estimates, appears to have recorded a marked rise. Production of foodgrains is estimated at 73.5 million tons. Prospects for commercial crops are also reported to be generally satisfactory.

4. **Industrial production** registered a further increase in 1958, but the rate of increase declined for the second year in succession. The average general index of industrial production (base: 1951=100) at 139.7 showed an increase of 1.7 per cent only as compared to 3.5 per cent in 1957 and over 8 per cent in 1956. Since the turn of the year, however, the rate of growth has picked up, the average index for the first four months of 1959 at 148.9 showing an increase of 4.6 per cent as compared to the index for the corresponding period of 1958. The slackening in the rate of industrial growth during 1958 was largely due to the decline of 5.8 per cent in the cotton textiles group which has a weightage of 36 per cent in the general index. Sugar and automobiles also declined by 5.4 per cent and 16.1 per cent, respectively. As against these, substantial increases were recorded under several other groups, including the new industries established in 1951 or after and not included in the general index. The fall in the production of cotton textiles was due mainly to fall in foreign demand and aggressive foreign competition, the exports of mill-made cloth falling from 840 million yards in 1957 to 740 million yards in 1958. With a view to meeting the demand for cotton textiles, the Government have decided to increase the production of cotton textiles by 10 per cent in 1959.

textile industry, several measures were taken during the year and, partly as a result of these measures and partly of a revival of internal demand during the latter part of the year, the stocks of cotton textiles with the mills which had mounted to 537 million yards in October 1958, declined substantially to 341 million yards at the end of May 1959.

5. Commodity Prices.—During the year, the price situation again caused some concern. The uptrend of wholesale prices noticed since February 1958 continued during the early part of the year under review. The general index (base: 1952-53=100), which had risen from 104.1 in early February 1958 to 113.3 at the end of June 1958, rose further to a peak of 116.9 by mid-September, 1958 and hovered around that level through October. Thereafter, the index declined almost continuously to 110.7 in early January 1959; in the next three months there were small two-way movements. Since April, however, the uptrend re-appeared, the index rising to 115.7 by the end of June. Thus, for the year as a whole, the net rise was 2.1 per cent, as compared to a rise of 2.3 per cent in the preceding year. Of the principal groups, 'food articles' rose by 2.1 per cent, 'industrial raw materials' by 4.5 per cent and 'manufactures' 1.0 per cent. It should be noted that the rise in the 'food articles' index was accounted for by sub-groups other than 'cereals,' in particular 'edible oils' and 'sugar and gur'; the cereals index actually declined by 3.7 per cent, wholly under rice. The rise in the 'industrial raw materials' group was also largely under oilseeds. The average general index for the year as a whole was higher than that for the previous year by 5.1 per cent as compared to an increase of 1.2 per cent in the preceding year.

6. The rising trend of prices in the first phase (July-October 1958) mainly reflected the impact of the sharp decline in the output of foodgrains in 1957-58. The decline in the second phase was mainly due to expectations of substantial improvement in the 1958-59 output of foodgrains. The rise in the third phase, i.e., since April 1959, would appear to be partly seasonal; the estimated record production of foodgrains is, however, not fully reflected in the price indices. This suggests, what is also borne out by *ad hoc* inquiries, that the inflow of supplies to the markets has been affected to some extent by the announcement of introduction of state trading in foodgrains. Bank finance has played hardly any role in this matter, the increased stocking of rice and wheat being either privately financed or self-financed, that is, representing the increased holding power of the farmers themselves. Part of the increase in output may also have gone to replenish the depleted stocks of food grains owing to the poor harvest of 1957-58. Basically, the output of foodgrains is insufficient for the needs of the economy and the importance of giving top priority to agricultural output in general and food output in particular cannot be over-emphasised. The Bank is making its contribution to this end by enlarging the flow of credit to the rural sector.

7. The movements in the all-India working class consumer price index number generally followed the trends in the wholesale price index. The index (base: 1949=100) rose from 116 in June 1958 to 123 in October after which it declined to 117 in April 1959 and stood at 119 in May, which is 5.3 per cent higher than a year before. The annual average for 1958-59 (11 months) also worked out 6.2 per cent higher as compared to the year 1957-58. The indices for the various centres, however, show somewhat divergent trends.

8. Monetary Situation.—In the monetary sphere, the main feature was the substantial rise in money supply as well as bank credit. During the Bank's accounting year, money supply with the public expanded by Rs. 152 crores to Rs. 2,531 crores as compared to a moderate expansion of Rs. 36 crores in 1957-58 and an expansion of Rs. 155 crores in 1956-57. The expansion was almost entirely in currency with the public, the bulk of expansion of bank deposits being in time deposits which are not included in computing money supply. The larger expansion during the year was principally due to two factors: (i) the substantial expansion in bank credit, and (ii) a marked decline in the balance of payments deficit which had been the main neutralising factor in the preceding two years. The seasonal swings in money supply in 1958-59 were more pronounced than in 1957-58. In the 1958 *slack* season (May-October), there was a contraction in money supply of Rs. 157 crores which was about twice that in the 1957 *slack* season (Rs. 83 crores), the larger contraction reflecting mainly the sharp fall in bank credit. This contraction was more than offset by the record expansion of Rs. 289 crores in the 1958-59 *busy* season (November 1958—April 1959), as compared to Rs. 167 crores in the *busy* season of 1957-58. The larger increase in the *busy* season of 1958-59 stemmed mainly from a sharp rise in bank credit and the re-emergence, for the first time since 1955-56 *busy* season, of a moderate balance of payments surplus as measured by the movements in the foreign assets of the Reserve Bank.

9. The banking situation continued to be characterised by a state of ample liquidity though, during the *busy* season, stringent conditions re-emerged. The significant feature of the banking situation during the year was the expansion of scheduled bank credit by Rs. 81 crores (from Rs. 903 crores to Rs. 983 crores) or by about 9 per cent in contrast to a contraction of Rs. 15 crores in the Bank's previous accounting year and an expansion of Rs. 161 crores in the year 1956-57. Of the rise in advances in 1958-59, secured advances totalled Rs. 64 crores as compared to less than Rs. 1 crore in 1957-58. Security-wise, there have been changes as compared to 1957-58, reflecting the growth of agricultural output and the recent revival of industrial output.

(Rupees in crores)

Group	Variation in 1958-59	Variation in 1957-58	Out- standing at the end of 1958-59	Percent- age of each group in col. 3 to total
	1	2	3	4
1. Foodgrains	+5.28	-15.34	30.02	3.67
2. Industrial Raw Materials	+12.25	-0.99	121.62	14.88
3. Plantation Products	-0.77	+8.70	42.11	5.15
4. Manufactures & Minerals	+17.86	-12.92	339.66	41.52
5. Other Securities	+29.74	+21.37	284.43	34.78
6. Total Secured Advances	+64.36	+0.80	817.84	100.00

Although, over the year, the largest percentage rise of 21.4 was recorded by the foodgrains group, the outstanding amount of these advances at the end of June was only Rs. 30 crores or 3.7 per cent of all secured advances. The credit-deposit ratio declined from 60.1 per cent at the end of June 1958 to 56.6 per cent at the end of the year under review. However, if P.L. 480 deposits are excluded there would be hardly any net change in the ratio.

10. The growth of deposits and the expansion of the gilt-edged portfolio were more or less of the same magnitude as in the year 1957-58. Aggregate deposit liabilities rose by Rs. 234 crores, almost the entire increase, as in the previous year, being accounted for by time liabilities. The gilt-edged portfolio of scheduled banks recorded a rise of Rs. 149 crores. Scheduled banks' borrowings from the Reserve Bank recorded a further net decline of Rs. 12 crores as compared to Rs. 47 crores in 1957-58. A good part of the rise in deposits, as in the preceding year, represented the accrual to the U.S. Government's balances in India of counterpart funds arising from P.L. 480 imports. A small part of the increase was also accounted for by the inclusion of some new banks in the Second Schedule to the Reserve Bank of India Act. The turnover of deposits also recorded a rise, the annual rate of turnover of current deposits for the 10-month period July 1958—April 1959 being 51.6 as compared to 46.1 per cent in the corresponding period of 1957-58; it may be added that the rate has recorded a steady rise from 22.0 in 1944, after registering a gradual decline from 42.3 in 1937.

11. While the expansion of scheduled bank credit over the year may not be regarded as unduly high, the expansion in the *busy* season (November 1958—April 1959) was abnormally large, amounting to Rs. 182 crores or about twice the expansion in the preceding *busy* season. During this period scheduled banks borrowed Rs. 25 crores from the Reserve Bank and sold a small amount of Government securities (Rs. 3 crores), whereas in the preceding *busy* season, banks had repaid a part of their loans from the Reserve Bank and added substantially to their gilt-edged portfolio. Security-wise, a little over one-third of the expansion of credit in this period was against industrial raw materials (advances against oilseeds being substantial) and another third was against manufactures. Advances against foodgrains recorded a rise of Rs. 9.50 crores.

12. Reflecting the easy conditions during the first phase, which lasted upto November 1958, the inter-bank call rate in Bombay declined from 3.4½ per cent in June to 1.3 per cent by November.* In Calcutta also,

*Subsequent to September 1958, the rates are exclusive of brokerage.

during the same period, the call rate dropped from $3\frac{1}{2}$ - $4\frac{1}{2}$ to 1 - $2\frac{3}{4}$ per cent. With the progress of the busy season, however, the inter-bank call rate in Bombay rose to $3\frac{1}{2}$ - $3\frac{3}{4}$ per cent by May, but dropped to 1 - $3\frac{1}{2}$ per cent in June. In Calcutta, the rate reached the year's high of $3\frac{1}{2}$ - $4\frac{1}{2}$ per cent in April and declined to $3\frac{1}{2}$ - $3\frac{3}{4}$ per cent in June. As regards term rates, there were no significant variations either in Bombay or in Calcutta.

13. An interesting development in the Indian money market during the year was the conclusion, by the more important Indian and foreign banks having deposits of Rs. 5 crores or more, of a voluntary agreement, fixing ceilings on interest rates payable on all forms of deposits other than inter-bank deposits. It may be recalled here that in the preceding two years or so, there had been a severe competition among banks for deposits through a bidding up of interest rates. With the change to easy money conditions since then, as a result of the substantial rise in deposit resources and the relatively stagnant demand for funds following the drastic import curbs, deposit competition had grown weaker and the voluntary agreement was designed to rationalise the structure of interest rates on deposits. Under the agreement, which became operative on October 1, 1958, no interest is payable on deposits on call or on notice of less than seven days while the ceiling rates on time deposits for less than three months and on those for 3 months and over are fixed at 3 - $7\frac{1}{8}$ per cent and 4 per cent, respectively. As regards savings bank accounts, the maximum rate payable is fixed at $2\frac{1}{2}$ per cent on minimum monthly balance and the maximum amount on which interest is payable is fixed at Rs. 50,000.

14. **Government Finances.**—Government finances continued to be dominated by the rising Plan outlay which is estimated to have amounted to Rs. 981 crores in 1958-59 (April-March) as compared to Rs. 846 crores in 1957-58 and Rs. 639 crores in 1956-57. The budgetary deficit (Centre and States) for 1958-59, however, was much lower at Rs. 136 crores as compared to Rs. 503 crores in 1957-58 and Rs. 253 crores in 1956-57, due mainly to larger receipts under internal loans as well as external assistance. For 1959-60, the Plan outlay is estimated at Rs. 1,121 crores while the budgetary deficit is estimated at Rs. 228 crores.

15. Net market borrowings of Central and State Governments during 1958-59 (April-March) together amounted to Rs. 227 crores as compared to Rs. 71 crores in 1957-58; a good part of the improvement is, however, explained by a special factor, namely, investment of P.L. 480 counterpart funds by the State Bank of India. Net borrowing of the Centre in 1958-59 amounted to Rs. 181 crores as compared to Rs. 66 crores in 1957-58. Reference was made in the last year's Report to the three Central Government loans floated in May 1958, total subscriptions to which amounted to Rs. 142 crores of which Rs. 9 crores were on account of conversion. In August 1958, the Central Government issued two more loans, namely, the $3\frac{1}{2}$ per cent Loan 1968 and the $3\frac{1}{2}$ per cent National Plan Bonds 1967 (Third Series) for Rs. 30 crores each, the entire amount of both of which was initially taken up by the Reserve Bank. As regards the State Governments, as many as 11 States entered the market during 1958-59 for an aggregate amount of Rs. 50 crores. All the loans were over-subscribed, the total subscriptions amounting to Rs. 66 crores of which Rs. 54 crores (including conversions amounting to Rs. 5 crores) were accepted. Auction sales of Treasury bills which were resumed towards the close of July 1958 brought in net receipts (including 'intermediates') amounting to Rs. 25.5 crores during 1958-59; for 1959-60, credit has been taken for an addition of Rs. 15 crores under this item.

16. Gross borrowing of the Centre in 1959-60 (April-March) is estimated at Rs. 225 crores. Net borrowing (taking into account cash payment of Rs. 117 crores) would be Rs. 108 crores. The Central Government floated on July 1, 1959 two loans for Rs. 175 crores, namely, the $3\frac{1}{2}$ per cent Bonds 1969 at an issue price of Rs. 98.85 per cent and the 4 per cent Loan 1979 at Rs. 100 per cent. The 3 per cent Second Victory Loan 1959-61 and the $2\frac{1}{2}$ per cent Hyderabad Loan 1954-59 were accepted for conversion into the new loans. The loans were fully subscribed. State Governments also entered the market in August 1959 for an aggregate sum of Rs. 61.50 crores. Total subscriptions amounted to over Rs. 100 crores of which about Rs. 68 crores were accepted.

17. The performance of small savings, however, continues to be below expectations; total receipts in 1958-59 (April-March) at Rs. 78 crores (provisional), though Rs. 9 crores larger than in 1957-58, were considerably smaller than the budget provision of Rs. 100 crores. The target for 1959-60 has been fixed at Rs. 85 crores. Further measures were taken during the year to intensify the small savings drive,

business, (ii) raising of the limit of some types of investment for charitable institutions, banks, incorporated companies and registered firms and the removal of the limit in the case of provident funds, and (iii) allowing an *ex-gratia* payment of interest at 2½ per cent per annum to investors in National Savings Certificates in cases of delay in encashment after maturity by the post office. The Post Office Savings Bank (Cumulative Time Deposits) Scheme, referred to in the last year's Report was brought into effect on January 2, 1959. The slow progress of the small savings campaign indicates that a more intensive effort needs to be made, in particular by the State Governments.

18. Capital Markets.—The main feature of the capital market during the year was a distinct revival of investors' confidence. Although the volume of investment and new issue activity did not appear to have shown any significant change, the response to such of the issues as were made was generally good. The growing investors' confidence may be attributed to the generally optimistic view taken in regard to the future of industries, aided mainly by the materialisation of larger foreign aid and the various governmental measures to assist industry. The rise in share prices reflected this optimism. The Reserve Bank's index of variable dividend industrial securities (base: 1952-53=100), which had begun to rise in the latter half of the Bank's accounting year 1957-58, moved up further from 133.2 at the end of June 1958 to 144.7 at the end of September and, after receding to 136.1 in December, rose sharply again to 151.0 at the end of June 1959. Over the year the index showed an increase of 13 per cent as against a net decline of 3 per cent in 1957-58. The somewhat sharp rise which has occurred since the turn of 1959 represented mainly the market's reaction to the Central Government Budget for 1959-60, the main bull points being the abolition of the excess dividend tax and wealth tax on companies and also to some extent the larger scale of deficit financing envisaged for 1959-60 than had been anticipated earlier.

19. Reflecting mainly the extremely easy conditions during much of the year, the gilt-edged market ruled generally firm. The floatations by State Governments of loans aggregating Rs. 47.5 crores in August 1958 (the Bihar Loan for Rs. 2.50 crores being issued later in October) were absorbed without strain and there was a good demand for short and medium-dated issues almost throughout the year. The prevailing conditions enabled the Reserve Bank to sell securities at rising rates. Net sales of Government securities to the market amounted to Rs. 100 crores as compared to Rs. 70 crores in the previous year. The fact that the Bank has been mainly a seller in the last two years has helped to reduce the liquidity of banks. The Reserve Bank's index of prices of Government of India securities (base: 1952-53=100) rose from 98.9 at the end of June 1958 to 100.7 at the end of June 1959. Among individual loans, the largest rise of Rs. 4.25 was recorded by the 3 per cent Loan 1970-75 at Rs. 91.65. The 3 per cent Conversion Loan of 1946, which had declined by Rs. 1.90 last year, recovered by Rs. 2.00 to Rs. 73.70. As a result of the sustained firmness in gilt-edged prices, the yields declined; the average yield on short-dated declined by about 0.30 per cent and that on irredeemables by about 0.15 per cent. State loans also were in keen demand, particularly from institutional investors, and recorded substantial rises over a wide front.

20. Balance of Payments.—A relieving feature of the Indian economy during the year was the marked lessening of the strain on the country's balance of payments. Over the Bank's accounting year, foreign assets of the Reserve Bank declined by only Rs. 21 crores as compared to Rs. 242 crores in 1957-58 and Rs. 230 crores in 1956-57.* There was pressure on these reserves upto end-October 1958 when they declined to as low as Rs. 178 crores (exclusive of gold reserve of Rs. 118 crores) as compared to Rs. 214 crores at the end of June 1958. This was followed between November 1958 and March 1959, by a steady accretion to the reserves. From April, there was a resumption of the decline which amounted to Rs. 21 crores during the last quarter. At the end of June 1959, the reserves stood at Rs. 193 crores, barely Rs. 15 crores above the low mark reached in October 1958. July 1959, however, witnessed a further drop of Rs. 13.6 crores and on July 31, the reserves had touched the lowest post-war level at Rs. 177.8 crores.

21. The current account deficit during the first nine months of the year, for which details are available, was Rs. 219 crores as compared to Rs. 322 crores in the corresponding period of the previous year. Export earnings were lower and the public sector imports slightly higher; the narrowing down of the deficit was, therefore, due entirely to the sharp reduction (Rs. 113 crores) in private imports. The impact of the reduction was felt mainly by imports of machinery and iron and steel. There were, however, a few items such as mineral oils, raw cotton and chemicals which were allowed to flow in slightly larger quantities, in view of

*After taking credit for I.M.F. assistance of Rs. 95 crores.

the growing needs of maintenance. Public sector's imports at Rs. 393 crores were higher by Rs. 11 crores. The rise was concentrated mainly in developmental imports such as capital equipment for Government projects financed through foreign aid, and a major part of food imports obtained under the P.L. 480 and TCA programmes. Other Government imports, particularly of the non-developmental type, were curtailed. Export earnings at Rs. 449 crores were lower by Rs. 6 crores during the nine-month period. Although business conditions abroad had almost recovered from the general slackness witnessed in the first few months of 1958, the international demand for our major exports, viz., jute goods, manganese ore and cotton textiles continued to be low. To some extent, lower exports also reflect the basic phase of the developmental process through which the Indian economy is passing. There is some indication that the pressure of internal demand arising from the developmental activity has resulted in a diversion of exportable raw materials and consumer goods to the home market. The few exceptions to the general downtrend were provided by tea and raw cotton exports which developed favourably on better foreign demand.

22. A reference was made in the last year's Report to the various measures taken by the Government to promote exports. During the year under review, efforts in this sphere were intensified. About 200 export items, including cotton and jute goods were freed from export control and export duties were either abolished (as in the case of oilseeds and manganese ore) or reduced (as in respect of tea and raw cotton). The concessions of rebates on excise and customs duties were extended to cover a larger number of export items. Besides these, special schemes for stimulating exports were introduced, such as the Textile Export Incentive Scheme and the scheme for compulsory export of sugar. These measures have not yet produced any impact on export earnings, which in fact recorded a further slight decline. In a developing economy, import cuts do not constitute an effective remedy for balance of payments difficulties in the long run; exports should be stepped up, which in practical terms means that the nation has to restrict consumption and render exports attractive to foreigners.

23. On the other hand, the quantum of external assistance has shown a significant increase. The I.B.R.D. convened meetings in Washington in August 1958 and March 1959 of five nations, namely, the U.K., U.S.A., Japan, Canada and West Germany to explore means of meeting India's foreign exchange requirements during the rest of the Second Plan period. As a result of the first meeting, foreign assistance worth \$360 million was made available; at the second meeting a sizeable amount was promised to bridge the foreign exchange gap in 1959-60. Including a carry-over of Rs. 190 crores which had remained unutilised at the end of the First Plan, total external assistance authorised upto the end of June 1959 is estimated at Rs. 1,228 crores. Of this, Rs. 697 crores is estimated to have been utilised upto March 1959 so that Rs. 531 crores is available for utilisation in the last two years of the current Plan.

24. The inflow of private foreign capital has continued to remain at a low level in relation to foreign Governmental assistance and World Bank aid. Total fresh capital receipts from private sources abroad amounted only to Rs. 6 crores in 1958 (provisional estimates) as against Rs. 16.3 crores during 1957 and Rs. 11.6 crores in 1956. These figures are inclusive of petroleum investments which showed large fluctuations. Excluding petroleum investments, the private capital investments were Rs. 5.5 crores in 1958 as compared to Rs. 4.1 crores in 1957 and Rs. 8.8 crores in 1956. The disappointingly small inflow of private foreign capital indicates the need for further efforts for creating a better climate for investment, including simplification of procedures.

25. **Monetary and Credit Policy.**—The foregoing analysis of the Indian economy during the year indicates that no major shift in credit policy was called for. The Bank's policy has continued to be one of general restraint, bearing in mind the requirements of a developing economy. There was again no change in the Bank's lending rates. As already mentioned, open market operations were continuously employed to absorb the growing reserves of the banking system. The selective credit control was continued in respect of advances against foodgrains and sugar with suitable modifications; the control was extended to cover advances against groundnuts. The sharp expansion of credit in the busy season caused some concern to the Bank, but this had to be considered against the background of a decline in credit in the previous year as well as a fairly sharp decline in the 1958 slack season. Moreover, there were reports of a substantial increase in agricultural production, and industrial output too showed signs of picking up. In these circumstances, it appeared that it would be adequate to caution banks generally to go rather slow in the matter of credit expansion. In the last week

of February 1959, the Governor issued a circular calling upon banks to exercise restraint in the further expansion of credit during the current *busy* season and to limit to a minimum their reliance on the Bank for funds. In particular, banks were asked to make a rigorous scrutiny of clean advances. Nevertheless, as already stated, net expansion of bank credit in the 1958-59 *busy* season was as large as Rs. 182 crores. Another circular was, accordingly, issued by the Governor on June 15, 1959, following a general discussion with bankers, drawing attention to the imperative need of effecting a significant reduction of credit in the *slack* season, at least of Rs. 100 crores (or by about 10 per cent), as compared to Rs. 118 crores in the 1958 *slack* season. This would still leave the level of scheduled bank credit at the end of the *slack* season 10 per cent higher than that a year earlier, and would thus provide for net expansion to cater to the requirements of an expanding economy. The reduction, it was pointed out, would also enable banks to meet the credit requirements of the next *busy* season without much strain and without large scale resort to the Reserve Bank.

26. The Bank continued to operate with flexibility its selective credit controls in the light of changing conditions of demand for and supply of the relevant essential commodities. In September 1958, the Bank tightened somewhat the restrictions on advances against wheat, following a sharp rise in bank advances against this commodity in certain areas, particularly in the Punjab and the continued rise in wheat prices. In December 1958, the Bank issued a new directive, which, while continuing generally the existing structure of control on advances against all foodgrains, made a change in the method of calculating the ceiling limits on advances against them; the ceiling limits for each month in 1959 were related to the levels in the corresponding month in 1958. Following the introduction of state trading in Orissa, where purchases of rice by purchasing agents on behalf of the State Government were initially made with their own funds, the ceiling limits in that State were liberalised in April 1959 in favour of such purchasing agents to facilitate the Government's procurement programme. With other State Governments also adopting a limited programme of procurement of foodgrains, either on their own account or for the Central Government, it became necessary to modify further the control on foodgrains advances by scheduled banks. The procedures of procurement and the methods of reimbursing the wholesalers for purchases made by the Governments varied from State to State. In some States, as in the Punjab, where the Government entered into storage delivery contracts with wholesalers for procuring wheat, an increase in credit to such persons was called for; in other States like Madras, with procurement operations of Government financed by commercial bank credit, the stocks with the trade were reduced calling for a reduction of credit. Thus, in order to regulate credit to the trade in accordance with the differing needs of the situation obtaining in the major States and also in conformity with the seasonal changes in the demand for credit, the Bank issued on July 10, 1959 a circular letter modifying and consolidating the existing directives in respect of all foodgrains. A new feature of this directive was that ceiling limits for banks were prescribed specifically in a larger number of major States and individually for paddy and rice, wheat and other foodgrains.

27. During the year, the Bank brought within the purview of the control yet another commodity, namely, groundnuts, the prices of and advances against which recorded a steep rise in January 1959. The Bank's directive issued on February 9, 1959 prescribed a minimum margin of 45 per cent on such advances and stipulated ceiling limit on advances of individual banks at levels not exceeding those maintained in the corresponding month of 1957 or 1958, whichever was higher. Vanaspati manufacturers and persons holding valid licences for export of groundnuts were exempted from the margin requirement.

28. The banks generally co-operated in carrying out the provisions of the directives issued from time to time. This was reflected in the fact that advances against foodgrains were, on the whole, below the permitted levels. Advances against groundnuts were brought down from Rs. 23 crores in the first fortnight of February 1959 to Rs. 17 crores in the second fortnight of March; while this order of reduction fell short of the requirement under the directive, because of the advance commitments of banks, the excess was considerably reduced in April and in May advances were below the prescribed limit.

29. Selective controls are not designed to correct the general inflationary pressures within the economy nor is their success to be judged precisely by the extent to which the prices of the relevant commodities have fallen; prices are dependent on various other factors bearing on the demand and supply position of the commodities. The controls by arresting an undue expansion of credit in

the busy season and accelerating its reduction in the slack season may be expected to exercise, only a limited, perhaps a marginal effect on prices, more particularly when banks have large liquid resources.

30. **The Prospect.**—In the course of the year, there emerged a clearer prospect of the Second Plan which a year ago was rather obscure. Though the Plan had been somewhat pruned, its fulfilment still remained in doubt, especially on account of the shortage of foreign exchange resources. In this regard, the outlook has under gone a change for the better and the prospects of implementing the revised Second Plan in financial terms are now more assured. It would not seem, however, that the 25-27 per cent increase in national income that was expected in the Plan is likely to be achieved. The economy is likely to be subject to further strains and the problem of resources for the Plan continues to be a source of concern. After a moderate improvement in reserves for about five months largely helped by accruals of foreign assistance, the foreign exchange reserves have again begun to fall since April 1959. Commodity prices have also been showing an uptrend. While the quantum of deficit financing in the financial year 1958-59 showed a welcome drop, it is estimated to be larger in the current financial year and it is not unlikely that the original estimate of deficit financing of Rs. 1,200 crores for the Second Plan period as a whole will be exceeded notwithstanding the substantial increase in foreign assistance over and above what was provided for in the Plan and the sizeable assistance under P. L. 480 imports. In this context, the Bank cannot over-emphasise the imperative need for a satisfactory rate of increase in food production, a point that has been dwelt upon in the Bank's earlier Reports too. The substantial increase in food output that has occurred in 1958-59 should be seen against the background of a sharp decline in 1957-58 which depleted the pipeline stocks, and a population expanding at the rate of almost 2 per cent per annum.

31. An effort to secure even the rate of growth projected for the Second Plan would involve during the Third Plan period a high order of investment. While this conclusion seems to find ready and general acceptance, there appears to be insufficient appreciation of its implications in terms of the measure of internal effort and external assistance required for its successful accomplishment. Unless the requisite internal resources and foreign aid are forthcoming much larger expenditure programmes are likely to jeopardise economic and monetary stability to the point of endangering their very fulfilment. With rising national income it should be possible to direct a progressively larger proportion of it into investment, but the task of mobilisation of resources is made difficult by the wide dispersion of new income over the economy and the generally small surplus over subsistence in the incomes of the mass of the population. Success in this task is conditioned on the one hand by the organisational and administrative difficulties of the Government and on the other by the extent to which the constructive energies and enthusiasm of the people can be released and channelled into the service of development. A shortfall in resources manifests itself in a rise in prices, especially of essential commodities, which affects particularly adversely the economic position of the weakest and most vulnerable sections of the community, including landless agricultural labourers. A rise in prices thus accentuates economic inequality and in turn sets up strong pressures for a rise in wages and for other adjustments which are liable to disturb seriously and to distort the course of development. The maintenance of monetary stability during the process of development thus becomes an objective of prime importance in the very interest of successful achievement of the targets of development itself.

32. With the utmost intensification of domestic effort and improvement of exports, the country would have to depend for some years to come on foreign assistance on a substantial scale, until the economy reaches the stage of self-sustaining growth. In this context, it is desirable from time to time, to assess, policies and procedures with a view to stimulating the flow of private capital from abroad.

33. In the task of ensuring development with stability, the keynote of monetary policy would have to continue to be one of general restraint simultaneously with expansion of institutional facilities for provision of credit to specific sectors in particular agriculture and small-scale industry. The banking system would also have to be geared to the task of larger mobilisation and channelling of resources. All this would inevitably require greater provision of finance by the Reserve Bank itself. In view of the inflationary potential in the economy, the Bank would have to keep such financing within limits and to the maximum extent direct it toward development and promotion of the productive resources and facilities of the economy.

BANKING LEGISLATION

34. **The Reserve Bank of India (Amendment) Act, 1959.**—On May 1, 1959, the Reserve Bank of India (Amendment) Act, 1959, was enacted providing for the issue of a special series of India notes in replacement of the India notes circulating in certain territories in the Gulf States of Kuwait, Baharain, Qatar, the Trucial States and in parts of Muscat. The object of this legislation was to check the drain on India's foreign exchange reserves arising from conversion into sterling of large amounts of India notes smuggled out, for financing the smuggling of gold and other commodities into India. The special notes will not be legal tender in India but will be freely convertible into Indian rupees and into sterling. Facilities were provided at all banks functioning in the Gulf States and Muscat for the exchange of the existing Indian currency into special notes for a period of six weeks from May 11, 1959 to June 21, 1959, the amount of notes so exchanged totalling Rs. 48.68 crores. The previous facilities for the exchange of Indian currency notes into sterling were withdrawn with effect from June 22, 1959 and the redemption into sterling was limited only to special notes issued in exchange for the notes now in circulation plus future issues against which sterling will be received. Special Haj notes were also issued, for supply to pilgrims proceeding on Haj to Saudi Arabia to ensure against India notes being smuggled out of India and presented to the Reserve Bank later through Saudi Arabia for reimbursement into sterling.

35. During the year, legislation was also introduced to amend the Banking Companies Act and the State Bank of India Act

36. **Amendment to Banking Companies Act.**—The Bill to amend the Banking Companies Act seeks, among other things, (1) to provide for inspection, by the Reserve Bank, of offices of Indian banks outside India (2) to enable the Reserve Bank to apply on its own initiative for the winding up of a banking company under certain circumstances, (3) to exclude depreciation in the value of a banking company's investments in approved securities and in shares, debentures or bonds and losses on account of bad debts from the purview of Section 15 which lays down that no banking company shall pay any dividend until all its capitalised expenses, or losses incurred, have been completely written off; the effect of the proposed amendment will be that a banking company may pay a dividend on its shares without writing off the depreciation in the value of its investments in approved securities in any case where such depreciation has not actually been capitalised or otherwise accounted for as a loss, while in the case of depreciation in the value of shares, debentures and bonds and losses on account of bad debts, adequate provision will have to be made before a banking company could pay a dividend, and (4) to introduce some flexibility in regard to the maintenance and use of the reserve fund.

37. **The State Bank of India (Subsidiary Banks) Bill.**—The State Bank of India (Subsidiary Banks) Bill, introduced on March 4, 1959, seeks to give effect to an agreed arrangement in terms of which 8 State Associated Banks, namely, the Bank of Bikaner, the Bank of Indore, the Bank of Jaipur, the Bank of Mysore, the Travancore Bank, the State Bank of Hyderabad, the Bank of Patiala and the State Bank of Saurashtra are to be set up as subsidiaries of the State Bank of India by the passing on of majority interest (in some cases whole interest) in the capital of these institutions to that bank. The subsidiary banks will, however, continue to retain their separate entity. The proposed arrangement will help to achieve the objective of an integrated banking and treasury set-up, which, with different units consisting of the State Bank and subsidiary banks, will cover the whole of India.

38. **The State Bank of India (Amendment) Bill, 1959.**—Another Bill, namely, the State Bank of India (Amendment) Bill, 1959, which was introduced on February 23, 1959, is mainly clarificatory in nature and seeks, among other things, to simplify the procedure in regard to taking over of the business of any banking institution which the State Bank acquires through negotiation in terms of Section 35 of the State Bank of India Act and to make clear that the acceptance of shares of companies with limited liability as a primary security for extension of credit by the bank is not permitted.

BANKING DEVELOPMENT

39. In a developing economy, the promotional aspect of Central banking is just as important as the regulatory aspect. In recent years the range of activities of the Reserve Bank has come to be steadily enlarged, particularly in the sphere

of rural credit and also in regard to the development of commercial banking and of the institutional machinery of industrial finance. The year under review recorded further progress in these directions.

40. State Bank of India.—In line with the developmental role assigned to the State Bank of India, it continued to open new branches in semi-urban and rural areas, the total number of branches opened during the year under review being 94 as compared to 115 last year. The total number of branches opened by the Bank since its inception in July 1955 comes to 311 as against the five-year target of 400 new branches set for it in its statute. Of the branches opened so far, 245 are at centres having a population of 30,000 or less. The State Bank of Hyderabad also opened branches at four centres in the territories of the former Hyderabad State. All these branches have been provided with currency chests in order that adequate exchange and remittance facilities may be made available to banks and the public.

41. Mention was made in the last year's Report that arrangements were being made for the State Bank of India taking over the Manipur State Bank. This was done at the close of business on January 24, 1959. Similar arrangements in regard to three other minor State-associated banks are in different stages of progress, while a few other cases are at the stage of consideration by the State Bank of India.

42 Industrial Finance.—During the year, the loans and advances of the Industrial Finance Corporation of India recorded a rise of Rs. 4.61 crores, as compared to one of Rs. 6.84 crores in 1957-58. The amount outstanding at end-June 1959 was Rs. 33.35 crores. The Corporation approved five schemes for guaranteeing of deferred payments in respect of imports of capital goods and also underwrote one redeemable and convertible debenture issue for Rs. 1.60 crores jointly with two other financial institutions and one cumulative redeemable preference share issue to the extent of Rs. 37.5 lakhs. The Corporation augmented its resources further to the extent of about Rs. 4.38 crores through the issue in November 1958 of 4½ per cent Bonds 1968, the total outstandings of bonds as at the end of June 1959 being Rs. 16.75 crores. The Government of India has also earmarked a sum of Rs. 10 crores from out of P. L. 480 funds for loans to the Corporation.

43. State Financial Corporations.—The advances of the State Financial Corporations recorded a rise of Rs. 2.21 crores as compared to one of Rs. 2.44 crores in 1957-58. With the establishment of a Corporation in Mysore, the total number of State Financial Corporations came to 13 during the year. Three State Financial Corporations raised additional resources amounting to a little over Rs. 2.50 crores through the issue of bonds. In some of the States, the Corporations have been appointed as agents of the State Governments for routing the concessional finance provided by Government to small-scale industries. Such agency arrangements are at present in operation in the States of Uttar Pradesh, Andhra Pradesh, Bombay and Punjab. Similar arrangements are being made by the Government of Bihar. In terms of Section 37A of the State Financial Corporations Act 1951, the Reserve Bank has so far inspected nine Corporations.

44. Credit Facilities to Small-scale Industries.—The Pilot scheme of the State Bank of India for the co-ordinated provision of credit facilities to small-scale industries, initiated in April 1956, was extended to all branches of the bank with effect from January 1, 1959. At the same time there is provision for the more intensive operation of the scheme at 36 selected centres. As at the end of June 1959, the State Bank had assisted 812 units at the intensive centres and 167 units at other centres, the total of the limits sanctioned (in force) and outstanding being respectively Rs. 262.06 lakhs and Rs. 106.22 lakhs at the intensive centres and Rs. 40.73 lakhs and Rs. 19.81 lakhs at other centres. The State Bank of India also entered into agency arrangements with the Bombay, West Bengal and Uttar Pradesh Financial Corporations whereby it would act as the agent of these Corporations in connection with the provision of loans to small and medium-scale industries at centres where the Corporations have no branches.

45. In pursuance of the recommendations of an informal meeting convened by the Reserve Bank on September 30, 1958 to consider certain issues relating to formulation of schemes of rural industrialisation, a working group consisting of representatives of the Government of Bombay and the Reserve Bank of India has been set up by the Government of Bombay for the purpose of initiating such schemes on a pilot basis in selected areas in the Bombay State.

46. The Industrial Credit and Investment Corporation of India Ltd. expanded its activities further and disbursed, for the first time during 1958, loans in foreign currencies. Total financial assistance which the Corporation had agreed to make

available since its inception in 1955 upto the end of 1958 amounted to Rs. 13.37 crores as compared to Rs. 11.65 crores by the end of 1957 and Rs. 6.01 crores by the end of 1956. In view of the increased demands from industries for assistance, the Corporation has further augmented its resources through obtaining, in May 1959, an allotment of Rs. 10 crores as loan out of the new P. L. 480 funds and a further loan of \$10 million from the World Bank in July 1959.

47. The Refinance Corporation, which was registered on June, 5, 1958 (*vide* last year's Report), started receiving applications only from September 1958, the initial two months or so being taken up with essential preliminaries including the issue of share capital, settling the procedure for the provision of refinance to member banks and entering into agreement with the Government of India for obtaining loans from the U.S. counterpart funds. The current resources of the Corporation amounted to Rs. 7.50 crores comprising its paid-up capital of Rs. 2.50 crores and a loan of Rs. 5 crores granted by the Central Government. Upto June 30, 1959, the Corporation had received 14 applications for refinance from 5 member banks for a total sum of Rs. 315 lakhs, the industries concerned being ferro-manganese, cotton textiles, cement, pharmaceuticals, pharmaceutical chemicals, acids and fertilisers, automobile ancillaries, electrical manufacturing and engineering. Of these, 13 applications for an amount aggregating Rs. 304 lakhs, representing 98 per cent of the amount applied for (*viz.* Rs. 309 lakhs) were sanctioned. The remaining application for a sum of Rs. 6 lakhs was under consideration. Out of the sanctioned amount, a sum of Rs. 50 lakhs was disbursed to 2 member banks in respect of applications from the ferro-manganese industry.

48. **Co-operative Policy.**—In recent years, few aspects of the working of the Reserve Bank have been so striking as its role in the sphere of rural finance. The activities of the Bank in this regard have been expanding markedly particularly since the Rural Credit Survey Committee submitted its Report in December 1954. In brief, the Committee had recommended the setting up of an integrated rural credit structure based on three fundamental principles, namely, State partnership at different levels, full co-ordination between credit and other economic activities, especially marketing and processing, and administration through adequately trained and efficient personnel, responsive to the needs of the rural population. The Reserve Bank was assigned a crucial role in this scheme of integrated credit. In pursuance of the above recommendations, which found general support, the Reserve Bank has been playing an active and constructive role in the sphere of rural credit and co-operation. The magnitude of the Bank's accommodation to the co-operative sector has risen substantially, the outstanding short-term advances rising from Rs. 8.57 crores at the end of June 1954 to Rs. 56.27 crores at end of June 1959. The Bank has played an important part in the formulation of schemes for the reorganisation of the co-operative credit structure in different States. Further, the Bank has been spending much money and effort on the training of co-operative personnel on the ground that this is one of the most effective ways of ensuring the success of its credit programme.

49. Mention may be made here of some of the developments connected with the resolution on co-operative policy passed by the National Development Council at its meeting held in New Delhi in November 1958. The resolution emphasized that "for the development of co-operation as a people's movement, it was essential that co-operatives should be organised on the basis of the village community as the primary unit, and that responsibility and initiative for social and economic development at the village level should be placed fully on the village co-operative and the village panchayat." The Council recommended that in the light of this general approach, the State Governments should review their programmes of co-operative development and formulate fresh programmes to be implemented during the next two years. Subsequently, a Working Group was set up by the Government of India with the representatives of the concerned Ministries, the Planning Commission, the Reserve Bank and the State Bank as members, to recommend the administrative and organisational arrangements necessary for the implementation of the resolution of the National Development Council. The Working Group has submitted its report and, on the basis of its recommendations, certain policy decisions have been communicated by the Government of India to State Governments. One of the more important decisions is that, as a general rule, the area of operation of the primary credit society should be one village, though, where the village is very small, two or more may be combined, so that the total population covered does not exceed about 1,000. This represents a material departure from the policies underlying the Second Five-Year Plan. In particular, the Plan provided for the promotion of a certain number of economically viable co-operative credit societies at the primary level, alongside various

schemes for strengthening the smaller societies as well as the co-operative structure generally including marketing, processing and storage. Further, in part reversal of previous policy, Government have decided that, "there should be no State participation in the share capital of village societies," i.e., at the primary level as distinguished from higher levels such as apex and central banks. To the extent that these decisions may be regarded as now holding the field—though it does not seem that any finality has yet been reached—the question which arises is whether the pace of expansion of agricultural credit through the co-operative system can remain the same as in the last few years, since clearly the degree of viability of the primary unit and the extent of its owned funds are very important considerations from the point of view of the lending institutions. Further discussions are taking place and it is hoped that satisfactory solutions will be found for enabling the co-operative credit structure, with the help as far as appropriate of the Reserve Bank, to play its due part in the provision of short-term and other credit for agricultural production and marketing. In particular, if the Reserve Bank's role in this context is to continue to be as significant and progressive as at present, it will be necessary to ensure that loans are in fact utilised for production, fully recovered and promptly paid back.

50. Turning to the operations of the Bank during the year, loans amounting to Rs. 5.92 crores were sanctioned from the National Agricultural Credit (Long-term Operations) Fund of the Reserve Bank to 13 State Governments to enable them to contribute to the share capital of co-operative credit institutions, of which Rs. 5.74 crores were availed of by the Governments. The amounts to the credit of the National Agricultural Credit (Long-term Operations) Fund and National Agricultural Credit (Stabilisation) Fund as on June 30, 1959 stood at Rs. 30 crores and Rs. 4 crores respectively, after the fourth annual contributions of Rs. 5 crores and Rs. 1 crore respectively were made to them.

51. The National Co-operative Development and Warehousing Board, set up in 1956 in terms of the Agricultural Produce (Development and Warehousing) Corporations Act, continued its work in connection with the provision of loans and subsidies under the co-operative development plans, for purposes such as contribution to the share capital of marketing and processing societies, construction of godowns and employment of additional staff by co-operative departments and institutions. The Central Warehousing Corporation established a warehouse at Kozhikode (Kerala) and a branch warehouse at Jangaon, under the Warengal warehouse, bringing the total number of warehouses established by it to eleven. Warehousing Corporations have been established in all the States in India (excluding Jammu and Kashmir) and according to provisional data warehouses have been opened by these Corporations at 43 centres upto the end of May 1959. By a circular letter dated December 26, 1958 the Reserve Bank exempted advances by scheduled banks against warehouse receipts issued by warehouses of the States Warehousing Corporations from the purview of its directives restricting advances against foodgrains. Advances against the pledge of warehouse receipts of the Central and State Warehousing Corporations were also exempted from the directive issued in February 1959 restricting advances against groundnuts.

52. In order to discuss the general progress of warehousing and other related issues of credit and marketing, two conferences of warehousemen and Chairmen of certain State Warehousing Corporations were convened by the Central Warehousing Corporation at Nagpur and Hyderabad in September 1958 and March 1959 respectively. Ways and means of ensuring quick credit facilities from banks against warehouse receipts were also considered at these conferences.

53. The Reserve Bank's Standing Advisory Committee on Agricultural Credit met four times during the year, some of the important items discussed at these meetings being those relating to (a) the arrangements for supervision in Bombay, Kerala, Mysore, West Bengal, Punjab, Rajasthan and Assam, (b) rural debentures, (c) reorganisation of and assistance to small societies and (d) co-operative policy.

54. With a view to examining the pattern of the present sources and use of funds by urban co-operative banks and their working, a study covering a sample of 100 urban banks spread over 10 States and one Union territory was undertaken jointly by three Departments of the Reserve Bank, namely, the Agricultural Credit Department, the Economic Department and the Department of Statistics. The field work was completed by the middle of March 1959 and the report is under preparation. Reference was made in the last year's Report to the field studies of the credit needs of the coir industry in Kerala and the leather industry in Agra, which the Reserve Bank undertook in pursuance of an arrangement reached with the Government of India. During the year, the Bank undertook similar studies in respect of the leather industry in Madras and the fishery industry in Bombay, Kerala and Madras. The reports on these industries are under preparation.

55. Financial Accommodation to Co-operative Banks.—During the year, there was a further increase in the volume of finance provided by the Reserve Bank to state co-operative banks for financing seasonal agricultural operations and marketing of crops. Eighteen state co-operative banks were sanctioned credit limits aggregating Rs. 65.43 crores at the concessional rate of 2 per cent below the Bank Rate, as compared with an amount of Rs. 48.24 crores sanctioned to 16 state co-operative banks during 1957-58. In addition, credit limits aggregating Rs. 3.06 crores sanctioned in the preceding year to a state co-operative bank were also operative for the year under review. At the end of the year, the outstandings of the loans from the Reserve Bank of India to state co-operative banks for financing seasonal agricultural operations and marketing of crops stood at Rs. 56.27 crores as compared to Rs. 40.47 crores at the end of 1957-58 and Rs. 23.32 crores at the end of 1956-57. Also, a credit limit of Rs. 2.00 crores was sanctioned to the Bombay State Co-operative Bank under Section 17(4)(c), read with section 17(2)(b) of the Reserve Bank of India Act, at the Bank Rate for meeting the needs of working capital of six co-operative sugar factories in the State. The State Co-operative Bank drew only a sum of Rs. 60 lakhs for financing two sugar co-operative factories. The loans were fully repaid during the year. 9 state co-operative banks were sanctioned, at the concessional rate of 2 per cent below the Bank Rate, medium-term loans out of the National Agricultural Credit (Long-term Operations) Fund, amounting to Rs. 4.52 crores as compared with Rs. 7.72 crores sanctioned to 12 state co-operative banks in 1957-58. From the same Fund, the Kerala Co-operative Central Land Mortgage Bank was sanctioned for one year a loan of Rs. 18.47 lakhs at Bank Rate against the guarantee of the State Government to enable the bank to pay off the debenture holders of the former Travancore Credit Bank (under liquidation) whose assets and liabilities are being taken over by the Kerala Co-operative Central Land Mortgage Bank.

56. The Reserve Bank continued to subscribe to the debentures floated by the central land mortgage banks, besides advising them on the terms for such floatation. During the year, 5 central land mortgage banks floated debentures amounting to Rs. 3.13 crores and varying in period of maturity from 8 to 20 years. The Bank subscribed to the extent of Rs. 1.69 lakhs in the case of the debentures of the Orissa Provincial Co-operative Land Mortgage Bank to make up the shortfall in public subscription.

57. Reference was made in the last year's Report to a scheme of rural debentures formulated by the Bank as a means of mobilising rural savings and the undertaking given by the Bank to subscribe to the shortfall in the subscriptions up to two-thirds of an issue. During the year the Reserve Bank made up the shortfall in public subscription to the extent of about Rs. 24 lakhs and Rs. 3 lakhs, respectively, in the case of two issues for Rs. 50 lakhs and Rs. 5 lakhs made in 1957-58 by the Saurashtra and Orissa Central Co-operative Land Mortgage Banks.

58. The extent of assistance to be provided by the Reserve Bank in respect of rural debentures for 1958-59 was considered by the Standing Advisory Committee on Agricultural Credit in July 1958 and, in pursuance of the recommendations made by the Committee, a meeting of the representatives of the central land mortgage banks and some Registrars was convened by the Reserve Bank in August, 1958 to find a satisfactory solution to the various procedural and other problems arising in this connection. The meeting recommended that land mortgage banks should be allowed to float rural debentures in two sets—one for 7 years to be offered to the public and the other for 15 years to be taken up by the Reserve Bank. The contribution from the Reserve Bank was to be slightly more than the subscriptions received from the public, the proportion being 8:7. The Reserve Bank accepted this recommendation and also agreed to take up its share of debentures at par with interest at 4 per cent per annum. The central land mortgage banks of Andhra, Madras, Mysore and Saurashtra floated rural debentures for Rs. 35 lakhs, Rs. 20 lakhs, Rs. 5 lakhs and Rs. 30 lakhs respectively. The Reserve Bank subscribed to the extent of Rs. 18.50 lakhs to the rural debentures issued by the Andhra Co-operative Central Land Mortgage Bank.

59. During the year, credit limits aggregating Rs. 2.79 crores were sanctioned to 12 state co-operative banks under Section 17(2)(bb) or 4(c) of the Reserve Bank of India Act at 1½ per cent below the Bank Rate for financing the production and marketing activities of Weavers' Co-operative Societies.

60. Credit limits aggregating Rs. 0.90 crore were sanctioned to 2 co-operative banks under Section 17(a) or 4() of the Reserve Bank Act, at the Bank Rate,

SUPERVISION AND REGULATION OF BANKS

61. Inspection and Licensing of Commercial Banks.—The strengthening of the banking system through supervision and regulation of commercial and co-operative banks continued to receive the closest attention of the Reserve Bank. In accordance with the policy of stepping up the pace of inspections of commercial banks, 66 scheduled and 251 non-scheduled banks were inspected during the year as compared to 46 scheduled banks and 122 non-scheduled banks in the previous year. Of these, excepting two banks, one of which was inspected under Section 45Q of the Banking Companies Act and the other with its own consent, all the others were inspected under Section 35 of the Banking Companies Act, 1949. After examining the comments of the banks concerned on the inspection reports, monthly progress reports in respect of the rectification of defects pointed out to them were called for from 171 banks while 144 banks were asked to submit quarterly reports in this regard. Wherever necessary, representatives of the banks concerned were also called for informal discussions with a view to bringing to their attention the more important defects in the working of the institutions concerned and impressing upon them the necessity of taking expeditious steps for improving their affairs. In cases where the findings of the inspection called for a stricter control over the affairs of the banks concerned, suitable conditions/directions were issued to them for compliance; at the end of the year, there were 44 banks (18 scheduled and 26 non-scheduled) working under such conditions/directions.

62. The total number of banks which held licences as at the end of the year under review stood at 62 as against 57 a year earlier. The deposits of these 62 banks together with the deposits of the State Bank of India and 5 State-associated banks which do not require a licence account for about 94 per cent of the total deposits of all scheduled and non-scheduled banks in India. Licences were refused to 12 banks during the year, bringing the total number of banks to which licences have been so far refused to 129.

63. Exemptions.—A reference was made in the last year's Report to the exemptions, from certain statutory obligations, given to banks. The permission granted to banking companies incorporated in and confining their activities to the former Travancore-Cochin State, to maintain by way of eligible assets a smaller proportion of their demand and time liabilities, was further extended upto March 1959, but the percentage of eligible assets to be maintained by these banks was raised from 15 to 17½ per cent as against 20 per cent required under Section 24 of the Banking Companies Act. The exemption which expired on March 31, 1959, was however, not renewed as it appeared that a majority of the banks concerned were in a position to comply with the requirements of the said Section. The exemption granted to all banking companies from certain provisions of Section 24 of the Banking Companies Act 1949, enabling them to exclude from their liabilities their borrowings from the State Bank of India and State Bank of Hyderabad and to treat as unencumbered, the approved securities lodged with other banking companies to the extent they are not utilised for advances or other credit arrangements, was extended by a further period of one year from June 9, 1959.

64. Inspection of Co-operative Banks.—The inspection of co-operative banks on a voluntary basis was continued during the year under review. During the year, 173 banks were inspected as against 240 last year, the shortfall being mainly owing to the special *ad hoc* inspections conducted last year in connection with applications for loans from State Governments for contributions to the shares of co-operative credit institutions and the pre-occupation of most of the regional offices this year with the survey of co-operative urban banks. The total number of inspections carried out by the Department upto June 1959 was 618. The number of inspections was 54 in respect of state co-operative banks, 545 of central co-operative banks, 7 of industrial co-operative banks, 3 of sugar factories, 4 of central co-operative land mortgage banks, 2 of State handloom weavers' societies, 1 of a State marketing society and 2 of miscellaneous societies.

65. Four regional offices of the Agricultural Credit Department were opened at Indore, Patna, Lucknow and Bangalore, thus bringing the total number of regional offices to 8.

66. Remittance Facilities.—There were no major changes during the year under review in the scheme of remittance facilities. Following the recommendation of the Rural Banking Enquiry Committee, the Government of India had at the instance of the Reserve Bank, asked the State Governments to consider raising the limits of drawings at or on treasury agencies in order to impart greater mobility to the movement of funds from one centre to another. Ten States agreed to raise the

limits of drawings at or on sub-treasuries and treasuries from Rs. 5,000 and Rs. 25,000 respectively to Rs. 10,000 and Rs. 50,000. The State Bank of India on its own accord continued to grant free remittance facilities to central and apex co-operative banks once a week for remitting funds from their head quarters to up-country branches particularly in rural areas. In addition to the remittance facilities provided by the Reserve Bank. The other two agent banks of the Reserve Bank namely the State Bank of Hyderabad and the Bank of Mysore Ltd. also agreed to provide similar facilities to the co-operative institutions in the areas served by them. Four banks, consequent on their inclusion in the Second Schedule to the Reserve Bank of India Act, become entitled to remittance facilities, while three banks, following their exclusion from the Second Schedule, ceased to be entitled to remittance facilities. Three non-scheduled banks were included in the approved list for purposes of remittance facilities, while seven non-scheduled banks were excluded.

67. Miscellaneous Matters relating to Banking.—During the year under review, 13 commercial banks—one in Bihar, four in Kerala, two in Madras and one each in Rajasthan and Tripura and two each in Uttar Pradesh and West Bengal went into liquidation. Of these, 5 were ordered to be wound up by the Courts and the rest went into voluntary liquidation. The total deposits of the thirteen banks which went into liquidation amounted to Rs. 1.15 crores, representing hardly 0.1 per cent of the total deposits of scheduled and non-scheduled banks in India.

68 Three banks applied for inclusion in the Second Schedule to the Reserve Bank of India Act during the year. Two banks, which had applied in the previous year for inclusion and one out of the above-mentioned three banks were included in the Second Schedule after regular inspection; the application of one bank is under consideration. During the year, one bank was excluded from the Second Schedule consequent on its amalgamation with another bank.

69. The number of offices of scheduled banks rose during the year by 346 to 3801. Of the new offices opened, 46 were on account of banks newly included in the Second Schedule. 82 of the new offices were opened during the year at places not formerly served by commercial banks.

70 Education and Training for Commercial Banks and Co-operatives.—The Bankers' Training College which was started in September 1954 under the auspices of the Reserve Bank, for imparting practical training in banking to supervisory staff of commercial banks in the country, has so far completed 24 courses of training in which 577 candidates have been trained. In view of the State Bank's rapid expansion programme and the need for training its junior officers for higher posts, the total number of candidates admitted to each course was raised from 24 to 28 with effect from the 22nd course.

71. The scheme of training of co-operative personnel made further progress during the year. In the various courses conducted by the Central Committee for Co-operative Training at its Regional and Block level Co-operative Officers' Training Centres, 83 senior officers, 215 intermediate officers, 607 block level co-operative officers, 232 officers, for co-operative marketing and 80 officers for land mortgage banking were trained during the year. In addition 4846 junior co-operative officers were trained in institutions which were run by the State Governments and were supervised, for purposes of grants-in-aid by the Central Committee. With a view to effecting qualitative improvement in training programmes, the study of extension of methods and business management was introduced in the curricula of the training courses.

72. Bifurcation of the Department of Research and Statistics.—With the growing complexity of economic functions of the Government and the tasks of credit management in recent years, the scope of work in the Economic as well as in the Statistical wing of the Department of Research and Statistics has been expanding rapidly. From the point of view of efficiency and convenience of organisation, it was, therefore, considered desirable to constitute the two wings into separate Departments. The Department of Research and Statistics was accordingly split up, from May 1, 1959, into two Departments, namely the Economic Department and the Department of Statistics. Further, as the Bank is called upon to make a continuous study of the problem arising from the execution of one Plan and the preparation of other Plans, a new Division of Planning and Development was created in the Economic Department to devote itself to the study of such problems.

Accounts and Other Matters

73. During the year under review, the Bank's income after making statutory and other provisions amounted to Rs. 47.26 crores as compared to Rs. 37.09 crores in 1957-58, and expenditure, which included the expenses of administration and provision for sundry liabilities and contingencies to Rs. 7.26 crores, a rise of Rs. 16 lakhs. The net profit available for payment to Central Government in terms of Section 47 of the Reserve Bank of India Act, was Rs. 40 crores as compared to Rs. 30 crores in the previous year.

74. The increase in the profit as compared to last year is mainly due to the funding of *Ad Hoc Treasury Bills* for Rs. 300 crores into 4 per cent Loan 1973, which has been partly offset by shrinkage in the holdings of Rupee and Sterling Securities, lesser Ways and Means Advances to Governments and decline in the rate of discount on Sterling Treasury Bills. As in the previous year, a sum of Rs. 5 crores was transferred to the National Agricultural Credit (Long-term Operations) Fund and Rs. 1 crore to National Agricultural Credit (Stabilisation) Fund out of the profit, raising the balance in the above Funds to Rs. 30 crores and Rs. 4 crores respectively.

75. Expenditure during the year rose by Rs. 16.59 lakhs mainly due to increase under the heads "Establishment" and "Remittance of Treasure", partly offset by less expenditure under heads "Security Printing, Cheque, Note Forms, etc." and "Agency Charges". The increase in expenditure under 'Establishment' was mainly due to the opening of the Regional Offices of the Agricultural Credit Department at Bangalore, Patna, Indore and Lucknow and a temporary Sub-Office at Bahrain. The increase under 'Remittance of Treasure' was mainly on account of the cost of charters for flying special note remittances to the Persian Gulf and inward remittances of India notes returned from there during the last quarter of the year. The decrease under 'Agency Charges' is explained by larger amount having been paid to State Bank of India last year on account of arrears of commission at revised rates for years 1955-56 and 1956-57.

76. **Auditors.**—The Accounts of the Bank have been audited by Messrs. S. B. Billimoria & Co. of Bombay, Messrs. P. K. Ghosh & Co. of Calcutta and Messrs. Sastry and Shah of Madras, who were appointed by the Government of India as auditors of the Bank by Notification No. F 3(52)-BC/58 dated September 1, 1958 issued in exercise of the powers conferred by Section 50 of the Reserve Bank of India Act.

77. **Composition of Central Board.**—Shri Ram Nath relinquished office as Deputy Governor on the expiry of his term of appointment on July 8, 1959. On his retirement, two posts of Executive Directors have been created, and Shri C. S. Divekar and Dr. B. K. Madan have been appointed to these posts with effect from July 9, 1959.

78. The Board place on record their high appreciation of the services of Shri Ram Nath all through his connection with the Reserve Bank of India and particularly as Deputy Governor since the year 1951.

79. The vacancies in the Central Board consequent on the resignation of Shri Bikkani Venkataratnam (referred to in the previous Report) and of Prof. Goraknath Sinha on his appointment as a member of the Railway Rates Tribunal were filled by the Central Government by the nomination with effect from September 16, 1958, of Shri G. Parameswaran Pillai and Col. B. H. Zaidi, in terms of Section 12(4) of the Reserve Bank of India Act.

80. Shri D. N. Mitra and Col. B. H. Zaidi retired as Directors of the Central Board of the Bank on the expiry of their term of office on January 14, 1959 and were re-nominated by the Union Government in terms of Section 8(1)(c) of the Reserve Bank of India Act.

81. The Union Government nominated with effect from July 8, 1958 Shri S. Jagannathan, I.C.S. to be a Director of the Central Board under Section 8(1)(d) of the Reserve Bank of India Act, vice Shri B. K. Nehru, I.C.S. and Shri Jagannathan continued to be a Director till September 10, 1958 when Shri A. K. Roy was nominated in his place.

82. **Local Boards.**—Sir O. T. Jenkins resigned his membership of the Eastern Area Local Board of the Bank with effect from January 1, 1959 and Mr. J. D. K. Brown was nominated by the Central Board in terms of Section 12(3) of the

83. Meeting of the Central Boards and Its Committees.—Six meetings of the Central Board were held during the year three in Bombay, two in New Delhi and one in Calcutta. The Committee of the Central Board held forty-nine meetings of which eight were in Calcutta, two in New Delhi and the rest in Bombay.

84. Bank's Premises.—The construction of the Bank's New Office Building at Madras is expected to be completed before the end of 1959 and that of the Bankers' Training College in Bombay by October 1959. Two residential buildings were completed in Bombay and an additional building for the officers was taken in hand. The question of providing additional residential quarters to the staff in Bombay as well as other centres is engaging the Bank's attention.

RESERVE BANK OF INDIA
Balance Sheet as at June 30, 1959
ISSUE DEPARTMENT

LIABILITIES				ASSETS			
	Rs.	nP.	Rs.	nP.		Rs.	nP.
Notes held in the Banking Department	37,81,28,756	00			A. Gold Coin and Bullion:—		
					(a) Held in India	117,76,02,749	97
					(b) Held outside India	Nil	
Notes in circulation	1714,36,54,705	00			Foreign Securities	178,00,89,629	06
					Total of A		295,76,92,379 03
					B. Rupee Coin		130,67,76,595 24
Total Notes issued			1752,17,83,461	00	Government of India Rupee Securities		1325,73,14,486 73
					Internal Bills of Exchange and other Commercial Paper		Nil
TOTAL LIABILITIES			1752,17,83,461	00	TOTAL ASSETS		1752,17,83,461 00

BANKING DEPARTMENT

LIABILITIES		ASSETS	
	Rs. nP.		Rs. nP.
Capital paid-up	5,00,00,000 00	Notes	37,81,28,756 00
Reserve Fund	80,00,00,000 00	Rupee Coin	1,91,309 00
National Agricultural Credit (Long-term Operations) Fund	30,00,00,000 00	Subsidiary Coin	3,23,364 50
National Agricultural Credit (Stabilisation) Fund	4,00,00,000 00	Bills Purchased and Discounted :—	
		(a) Internal	Nil
		(b) External	Nil
		(c) Government Treasury Bills	1,15,65,294 87
Deposits :—		Balance held abroad*	13,45,30,877 85
(a) Government		Loans and Advances to Gov-ernments	22,68,85,801 00
(1) Central Government	47,80,39,505 53	Other Loans and Advances	69,15,12,800 53
(2) Other Governments	20,24,39,126 98	Investments**	319,00,68,871 88
(b) Banks	98,14,71,205 39	Other Assets	14,17,98,718 71
(c) Others	159,85,89,989 24		
Bills Payable	20,88,41,398 34		
Other Liabilities	11,56,24,568 86		
Total Liabilities	477,50,05,794 34	Total Assets	477,50,05,794 34

*Includes Cash & Short-term Securities.

**Contingent liability on partly paid shares Rs. 4,00,00,000-00.

N. D. NANGIA,
Chief Accountant.

H. V. R. IENGAR,
Governor.

K. G. AMBEGAOKAR,
Deputy Governor.

B. VENKATAPPIAH,
Deputy Governor.

Dated July 21, 1959.

RESERVE BANK OF INDIA
PROFIT AND LOSS ACCOUNT

	FOR THE YEAR ENDED					
	June 30, 1959		June 30, 1958		June 30, 1957	
INCOME	Rs.	nP.	Rs.	nP.	Rs.	nP.
Interest, Discount, Exchange, Commission, etc.	47,25,60,478	53	37,08,88,054	01	36,20,53,245	96
EXPENDITURE						
Establishment	3,78,09,386	14	3,42,60,182	35	3,18,61,124	20
Directors' and Local Board Members' fees and expenses	70,519	60	85,653	59	80,363	57
Auditors' fees	22,500	00	22,500	00	22,500	00
Rent, Taxes, Insurance, Lighting, etc.	19,29,808	41	16,71,817	66	16,62,476	82
Law Charges	1,09,229	73	18,575	35	30,372	36
Postage and Telegraph charges	3,24,117	25	3,12,871	31	2,58,915	54
Remittance of Treasure	46,24,122	47	29,95,379	26	26,24,466	34
Stationery, etc.	8,12,072	10	7,42,616	63	5,96,263	60
Security Printing—(Cheque, Note Forms, etc.)	1,14,98,408	34	1,24,15,100	72	1,38,52,214	94
Depreciation and Repairs to Bank Property	23,63,393	19	23,45,978	74	25,30,176	28
Agency Charges	1,00,28,088	37	1,37,32,851	48	66,08,858	13
Contributions to staff and superannuation funds	4,63,000	00	29,000	00	36,000	00
Miscellaneous expenses	24,83,111	06	22,46,271	97	18,75,644	08
Net available balance	40,00,22,721	87	30,00,09,254	95	30,00,13,870	10
TOTAL	47,25,60,478	53	37,08,88,054	01	36,20,53,245	96

PROFIT AND LOSS ACCOUNT—*Continued*

	FOR THE YEAR ENDED					
	June 30, 1959		June 30, 1958		June 30, 1957	
	Rs.	nP.	Rs.	nP.	Rs.	nP.
Surplus pay able to the Central Government	40,00,22,721	87	30,00,09,254	95	30,00,13,870	10
Balance carried forward	Nil		Nil		Nil	
TOTAL	40,00,22,721	87	30,00,09,254	95	30,00,13,870	10

RESERVE FUND ACCOUNT

By balance on June 30, 1959	80,00,00,000	00
By transfer from Profit and Loss Account	Nil	
TOTAL	80,00,00,000	00

N. D. NANGIA,
Chief Accountant.

H. V. R. IENGAR,
Governor.

K. G. AMBEGAOKAR,
Deputy Governor.

B. VENKATAPPIAH,
Deputy Governor.

REPORT OF THE AUDITORS

TO THE PRESIDENT OF INDIA,

We, the undersigned Auditors of the Reserve Bank of India, do hereby report to the Central Government upon the Balance Sheet and Accounts of the Bank as at 30th June, 1959.

We have examined the above Balance Sheet with the Accounts, Certificates and Vouchers relating thereto of the Central Office and of the Offices at Calcutta, Bombay and Madras and with the Returns submitted and certified by the Managers of the other Offices and Branches, which Returns are incorporated in the above Balance Sheet, and report that where we have called for explanations and information from the Central Board such information and explanations have been given and have been satisfactory. In our opinion, the Balance Sheet is a full and fair Balance Sheet containing the particulars prescribed by and in which the assets have been valued in accordance with the Reserve Bank of India Act, 1934 and the Regulations framed thereunder and is properly drawn up so as to exhibit a true and correct view of the state of the Bank's affairs according to the best of our information and the explanations given to us, and as shown by the Books of the Bank.

Dated July 21, 1959.

S. B. BILLIMORIA & Co.,
P. K. GHOSH & Co.,
SASTRI & SHAH. } *Auditors*

[No. F.3(46)-BC/59]

M. V. RANGACHARI, *Special Secy.*

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 11th September 1959

S.O. 2038.—In exercise of the powers conferred by sub-section (1) of section 58 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby directs that the following further amendments shall be made in the Indian Income-tax Rules, 1922, the same having been published as required by sub-section (4) of the said section.

These amendments shall come into force on 1st October 1959.

Amendments

In the said rules—in the Forms appended to rule 19 as notified in S.R.O. 1442, dated the 24th April, 1957 and published in the Gazette of India, Part II—Section 3 of the 11th May, 1957:

(1) in Form A,—

(i) in Section B of Part I for items (b) and (c) the following items shall be substituted, namely:—

“(b) persons *ordinarily resident* in the taxable territories should show their full income except in the case of ‘salaries’ chargeable to tax in the assessment year 1959-60, in which case such income may be shown after deducting upto a maximum of Rs. 4,500 out of income not remitted to the taxable territories (if the amount deducted is less than Rs. 4,500 it should be specified).

(c) Persons *Resident but not ordinarily resident* should show only so much of the income—

(i) as arises from a business controlled in India, or a Profession or Vocation set up in India; or

(ii) as is actually received in or remitted to the taxable territories out of any other income”

(ii) in Section C of Part I,—

(a) in para 1 after the words “and before the 1st April, 1948”, the following words shall be inserted, namely:—

“and after the 1st day of April, 1956”.

(b) for item (d) the following shall be substituted, namely:—

“Out of income which accrued or arose in a foreign country and

(i) was not charged to tax on account of the deduction of upto Rs. 4,500 or otherwise—and is not eligible for exemption under the fourth or fifth proviso to sub-section (1) of Section 4 of Income-tax Act;

(ii) was charged to tax or is eligible for exemption under the fourth or fifth proviso to sub-section (1) of Section 4 of Income-tax Act—

[Item (ii) is to be mentioned only but is not to be added in the total income.]

(iii) in Part V—Depreciation, in the column “Depreciation claimed”, the entry “Additional under clause (via) of sub-section (2) of Section 10” shall be omitted.

(2) In Form B,—

(i) In Section B of Part I, for item (b) the following shall be substituted, namely:—

“(b) persons **ORDINARILY RESIDENT** in the taxable territories should show their full income except in the case of ‘salaries’ chargeable to tax in the assessment year 1959-60, in which case such income may be shown after deducting upto a maximum of Rs. 4,500 out of income not remitted to the taxable territories (if the amount deducted is less than Rs. 4,500 it should be specified).

(ii) in Section C of Part I,

(a) in para 1 after the words “before the 1st April, 1948”, the following words shall be inserted, namely:—

“and after the 1st day of April, 1956”

(b) for item (d) the following shall be substituted, namely:—

"(d) Out of income which accrued or arose in a foreign country and—

(i) was not charged to tax on account of the deduction of upto Rs. 4,500 or otherwise—and is not eligible for exemption under the fourth or fifth proviso to sub-section (1) of Section 4 of Income-tax Act;

(ii) was charged to tax or is eligible for exemption under the fourth or fifth proviso to sub-section (1) of Section 4 of Income-tax Act—

[Item (ii) is to be mentioned only but is not to be added in the total income.]

(3) In Form C,—

(i) in Section B of Part I, for item (b) the following item shall be substituted, namely:—

(b) COMPANIES RESIDENT in the taxable territories should show their full income.

(ii) in Section C of Part I—

(a) in para 1 after the words "and before the 1st April, 1948", the following words shall be inserted, namely:—

"and after the 1st day of April, 1956."

(b) for item (d), the following shall be substituted, namely:—

"(d) Out of income which accrued or arose in a foreign country and—

(i) was not charged to tax on account of the deduction of upto Rs. 4,500 or otherwise—and is not eligible for exemption under the fourth or fifth proviso to sub-section (1) of Section 4 of Income-tax Act;

(ii) was charged to tax or is eligible under the fourth or fifth proviso to sub-section (1) of Section 4 of Income-tax Act—

[Item (ii) is to be mentioned only but is not to be added in the total income.]

(iii) in Part V—Depreciation, in the column headed "Depreciation claimed", the entry "Additional under clause (via) of sub-section (2) of Section 10" shall be omitted.

[No. 96.]

N. H. NAQVI, Secy.

INCOME-TAX

New Delhi, the 11th September 1959

S.O. 2039.—In exercise of the powers conferred by sub-section (4) of section 8 of the Indian Income-tax Act 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments to its notification S.O. 660 No. 35-Income-tax dated the 22nd April, 1958, namely:—

In the Schedule appended to the said notification under the sub-head "V Bombay North" against 'Ahmedabad Range I' for the existing entry "2. Special Investigation and Additional Special Investigation Circle, Ahmedabad" the following entry shall be substituted, namely:—

"2. Special Investigation Circles 'A' & 'B', Ahmedabad".

This notification shall be deemed to have taken effect from the 2nd September, 1959.

Explanatory Note

NOTE.—The amendments have become necessary on account of the creation of Special Investigation Circles.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 97 (F. No. 50/22/59-IT).]

S.O. 2040.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following amendments in the Schedule appended to its notification S.O. 660 No. 35-Income-tax dated the 22nd April 1958, namely:—

In the said Schedule under the sub-head "XI-Mysore" against "B-Range Bangalore" for the existing entry "2. Special Circle and Additional Special Circle, Bangalore" the following entry shall be substituted, namely:—

"2. Special Investigation Circles 'A' and 'B', Bangalore".

Explanatory Note

NOTE.—The amendments have become necessary on account of creation of Special Investigation Circles in the Commissioner's charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 98 (F. No. 50/29/59-IT).]

D. V. JUNNARKAR, Under Secy.

COLLECTORATE OF CENTRAL EXCISE, SHILLONG

Shillong the 7th May, 1959

S.O. 2041.—In pursuance of Rule 5 of the Central Excise Rules, 1944. I empower the Central Excise Officers mentioned in Column II of the subjoined table to exercise within their Jurisdictions the powers of "Collector" conferred by the provisions of the Rule mentioned in Column I of the same table subject to restrictions imposed in column III thereof.

Central Excise Rule No.	Rank of Officer	Restrictions
I	II	III
49	Superintendent	Superintendent may sanction destruction of excisable goods other than tea under Rule 49 of Central Excise Rules, 1944, subject to the condition that the duty involved on goods to be destroyed does not exceed Rs. 250/- (Rupees two hundred fifty) only.
Do	Assistant Collector	Assistant Collector may sanction destruction of excisable goods other than tea under Rule 49 of Central Excise Rules, 1944 subject to the condition that the duty involved on goods to be destroyed does not exceed Rs. 1000/- (Rupees one thousand) only. This supersedes Instruction No. 8/CE/58 dated 25-2-58.

[No. 21/CE 59].

A. K. ROY, Collector.

**OFFICE OF THE COLLECTOR OF CUSTOMS AND CENTRAL EXCISE,
PONDICHERRY**

PUBLIC NOTICE

Pondicherry, the 3rd September 1959

SUB.—*Manufacture of 30's and 50's sizes of match boxes Discontinuance with effect from 1st October, 1959.*

S.O. 2042.—In March 1958, permission was given by the Government of India to match factories to manufacture 30's and 50's sizes of match boxes to enable the small scale units to overcome the difficulty they experienced in marketing their goods consequent *inter alia*, on the introduction of the decimal coinage and a temporary shortage of coins of small denomination. However the position in this

regard has since changed, and as continued existence of too many sizes of match boxes does not help the consumers, the Government of India have decided to withdraw with effect from 1st October 1959, the permission granted in March 1958 for the manufacture of 30's and 50's sizes of match boxes.

[No. 5/59.]

A. J. B. LOBO, Collector.

THE ALIGRAH MUSLIM UNIVERSITY

Aligarh, the 21st August, 1959.

S.O. 2043.—Accounts for the year ended 31st March, 1955, including University accounts, deposit accounts, provident fund and boarding house accounts, balance sheets.

Audited by Kulwant singh deputy accountant general out siede audit department office of the A.G. U.P. Allahabad

(F) Permanent Endowment (E.C. Res. No. 14(a) dated 21st December, 1952 and F.C. Item No. 4 dated 29-11-1952)

Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS		
	Rs.	a. p.		Rs.	a. p.
<i>Muslim University Reserve Fund</i>					
As per last Balance Sheet	30,00,000	0 0	<i>Permanent Reserve Fund Investment:</i>		
			Rs. 30,00,000 at 3% Stock Certificates No. D.H. 591 Conversion Loan 1946 at par		30,00,000 0 0
TOTAL	30,00,000	0 0	TOTAL		30,00,000 0 0

(Sd.) OBAIDUR RAHMAN KHAN,

Honry. Treasurer.

Muslim University, Aligarh.

(2) Permanent Reserve Fund (E.C. Res. No. 14(a) dated 21-12-1952 and F.C. Item No. 4 dated 29-11-1952)

Balance Sheet as at 31st March, 1955.

LIABILITIES		ASSETS			
	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.
<i>Muslim University Permanent Reserve Fund</i> (Non-Permanent Reserve Fund):			<i>Investments:—</i>		
As per last Balance Sheet	20,00,000 0 0		Rs. 9,14,400 at 3% Stock Certificate No. D.H. 590 Conversion Loan 1946 at cost	8,55,686 0 0	
			Rs. 5,87,600 at 3% Stock Certificate No. D.H. 630 Conversion Loan 1946 at cost	5,59,368 2 -	
			Rs. 3,42,500 at 3% Stock Certificate 1963-65	3,35,572 10 9	
			Rs. 5,500 at 3% Stock Certificate No. 17 Loan of 1896-97 at cost	3,740 0 0	
			Rs. 1,16,000 at 3% Conversion Loan of 1946 at cost	1,12,126 10 6	
			Rs. 6,400 at 3% Conversion Loan of 1946 at par	6,400 0 0	
			Rs. 10,000 at 3% Conversion Loan of 1946 at par	10,000 0 0	18,82,893 8 7
			Purchase of a house from Dr. S. Moinul Haq	18,621 10 6	
			Purchase of a house from Mr. S. Wali Mohd.	39,645 5 0	
			Purchase of a house from Mr. Saeed Ifikhar	10,000 0 0	
			Purchase of two wings of English House from M. U. High School	43,670 1 6	1,11,937 1 0
			Cash with Bank (M. U. Fund Account)		
TOTAL	20,00,000 0 0		TOTAL		5,619 6 5
					20,00,000 0 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(3) M.U. Floating Reserve Fund

Balance Sheet as at 31st March, 1955

LIABILITIES				ASSETS			
	Rs.	a.	p.	Rs.	a.	p.	Rs. a. p.
<i>Muslim University General Reserve Account:</i>				<i>Laon</i>			
As per last Balance Sheet	1,72,663	12	8	Purchase and sale of commodities and building material	50,614	11 10	
				Add expenditure during the year	894	5 3	
					51,509	1 1	
				Less received during the year	13,909	6 6	37,599 10 7
				Purchase of paper for University			8,803 10 9
				<i>Projects under constructions :</i>			
				a) Women's College Hostel	90,378	12 9	
				(b) Construction of a Hostel of 4 Halls E.C. Res. No. 30, dated 29-10-44 and F.C. Res. No. 2 dated 12-6-46	93,267	13 9	1,83,646 10 6
				Cash with the Imperial Bank (M.U. Fund Account)			1,42,613 10 10
TOTAL	3,72,663	12	8	TOTAL			3,72,663 12 8

(Sd.) OBAIDUR RAHMAN KHAN,

Hony. Treasurer,

Muslim University, Aligarh

(4) M.U. Special Floating Reserve Fund

Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS		
	Rs.	a. p.		Rs.	a. p.
<i>Grants from States:—</i>					
1. Bhopal State Grant for Science College	2,48,479	7 0			
2. H.H. Ruler of Bhopal for Flying Club	50,000	0 0			
3. Bhawalpur State Grant for General Buildings	65,000	0 0			
4. Mahmoodabad State Grant for General Buildings	38,000	0 0			
5. Haji Mohd. Zahoor Mohd. Saeed for General Buildings	500	0 0			
6. Sir A. Rauf Donation for Scholarships	50,000	0 0			
7. Late Prof. Moin Uddin Deposit for Art Gallery	21,375	13 2			
8. Cost of Waqf House of Mr. Nazir-uddin Khan of Shahjahanpur.	1,600	0 0			
	4,74,955	4 2			
Less amount transferred to Engg. College for construction of Roofing of Assembly Room under E.C. Res. No. 3 dated 1-8-1954	35,000	0 0			
<i>Auchinleck Memorial Fund :</i>					
As per last Balance Sheet		99,753 6 0			
<i>Polytechnic Account:</i>					
As per last Balance Sheet		1,50,415 4 6			
TOTAL		6,90,123 14 8			
			<i>Investments :</i>		
			Rs. 3,05,700 at 4% Loan 1960-70 at cost	2,49,220	0 0
			Rs. 85,300 at 4% Loan 1960-70 at cost	87,645	12 0
			Rs. 50,000 Conversion Loan 1946 at par	50,000	0 0
			Rs. 25,000 at 3% Conversion Loan 1946 No. D.H.O. 10119 at cost	23,830	11 5
			Rs. 3,500 at 4% Loan 1955-60 at cost	3,272	8 0
			Rs. 5,000 at 3% Loan of 1957 at cost	5,225	0 0
			Rs. 2,000 at 4% Bombay Port Trust Deliverance Bond Loan 1917 at cost	1,920	0 0
			Rs. 500 Shah Jehan Flour Mill Co., (5 Shares at Rs. 100 each) at par	500	0 0
			Purchase of Building Materials out of Auchinleck Fund as per last Balance Sheet		28,851 12 6
			House Purchased from Mr. Haziq		4,000 0 0
			Cash with Imperial Bank (M.U. Fund A/c)		2,35,658 2 9
			TOTAL		6,90,123 14 8

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS		
	Rs.	a. p.		Rs.	a. p.
General Scholarship Fund:			General Scholarship Fund Investments:		
As per last Balance Sheet .	1,07,773	5 9	Rs. 49,000 at 4% Loan 1960-70 at Par	49,000	0 0
Arabic Scholarship:			Rs. 2,500 Upper India Couper Paper Mill and Co. Ltd., 25 shares at Rs. 100 each at cost	2,400	0 0
As per last Balance Sheet	64,605	6 5	Rs. 2,000 at 3% Conversion Loan 1946 at cost	1,979	2 8
Prizes and Medals:			Rs. 54,239 Building at cost	54,239	0 0
(a) Sir Shah M. Suleman	1,000	0 0	Cash with Imperial Bank of India (Muslim University Fund account)	155	3 1
(b) Lady Ali Shah .	1,000	0 0			
(c) Prizes and Medals	9,987	11 3	Arabic Scholarship Fund Investment:		
Poor Student Fund:			Rs. 26,000 at 4% Loan 1960-70 at Par.	26,000	0 0
As per last Balance Sheet .	2,000	0 0	Rs. 20,200 at 4% Conversion loan 1946 at Par	20,200	0 0
			Rs. 18,261 8/4 Building at cost	18,261	8 4
			Cash with Imperial Bank of India (Muslim University Fund Account)	143	15 1
			Prizes and Medals Fund Investments:		
			Rs. 3,300 at 3% loan 1970-75 at cost .	3,250	1 6
			Rs. 5,500 at 4 1/2% loan 1955-60 at cost	5,142	8 0
			Rs. 1,000 at 3% Victory Loan 1957 at cost	1,008	12 0
			Rs. 2,445 Building at cost	2,445	0 0
			Cash with Imperial Bank (M.U. Fund account)	141	5 9
			Poor Student Fund Investment:		
			Rs. 2,000 Building at cost		
TOTAL	1,86,366	7 5	TOTAL	1,86,366	7 5

(Sd.) OBAIDUR RAHMAN KHAN,
Hon'ble Treasurer,
Muslim University, Aligarh.

(6) Muslim University Building Fund

Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS		
	Rs.	a p.		Rs.	a p.
General Building Fund	33,80,394	6 7	Buildings and Lands	33,80,626	2 8
Electrification Fund	2,79,139	2 6	Electrification Fund Investments	2,79,139	1 11
Drainage Scheme	5,701	4 5	Cash with Imperial Bank of India		
Hand pump and Water pipe line	1,999	9 0	M.U. Fund Account	7,469	1 11
TOTAL	36,67,234	6 6	TOTAL	36,67,234	6 6

(Sd.) OBAIDUR RAHMAN KHAN,

Hony. Treasurer,

Muslim University, Aligarh.

(7) Depreciation Fund
Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
<i>On Buildings :</i>			<i>Investments :</i>		
As per last Balance Sheet . . .	6,29,528	11 10	Rs. 7,34,000 at 4% loan of 1960-70 at cost . . .	5,98,390	0 0
Add depreciation for the year . . .	73,375	0 0	Rs. 50,000 at 4% loan of 1960-70 at cost . . .	51,375	0 0
	<u>7,02,903</u>	<u>11 10</u>	Rs. 35,000 at 3% loan of 1961-66 at cost . . .	31,193	12 0
Less expenditure . . .	1,05,100	8 0	Rs. 1,17,000 at 4% loan of 1960-70 at cost . . .	1,19,559	6 0
			Rs. 900 at 4% loan of 1960-70 at cost . . .	911	4 0
<i>On Electric Installation :</i>			Rs. 2,100 at 3% loan of 1958 at cost . . .	2,065	14 0
As per last Balance Sheet . . .	2,21,156	0 0	Rs. 1,20,000 at 3% loan of 1963-65 at cost . . .	1,11,622	7 0
Add depreciation for the year . . .	15,114	13 0			9,15,117 11 0
	<u>2,36,270</u>	<u>13 0</u>	<i>Outstanding Interest Account—</i>		
Less expenditure . . .	1,706	4 0	As per last Balance Sheet . . .	23,375	5 0
			Less Receipt during the year . . .	20,532	1 0
<i>On Motor Pump :</i>				<u>2,846</u>	<u>4 0</u>
As per last Balance Sheet . . .	9,204	0 0	Add outstanding Interest of the year . . .	20,007	13 0
Add depreciation for the year . . .	1,320	0 0			22,854 1 0
	<u>10,524</u>	<u>0 0</u>	<i>Cash with Imperial Bank (M. U. Fund a/c) . . .</i>		3,33,063 13 10
<i>On Science Equipments :</i>					
As per last Balance Sheet . . .	1,32,235	6 7			
Add depreciation for the year . . .	20,000	0 0			
	<u>1,52,235</u>	<u>6 7</u>			
Less expenditure . . .	27,281	0 6			
	<u>1,24,954</u>	<u>6 1</u>			

7. Depreciation Fund—*contd.*

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
<i>On Furniture :</i>					
As per last Balance Sheet . . .	69,531	4 0			
Add depreciation for the year . . .	31,893	0 0			
	1,01,424	4 0			
Less expenditure	16,051	1 0	85,373	3 0	
<i>On Motor Cars and Station Wagons :</i>					
As per last Balance Sheet . . .	15,891	0 0			
Add depreciation for the year . . .	4,232	0 0	20,123	0 0	
<i>On Machines and Cycles :</i>					
As per last Balance Sheet . . .	8,500	0 0			
Add depreciation for the year . . .	3,000	0 0	11,500	0 0	
On Science Laboratories			60,000	0 0	
On Mumtaz Latouch Boarding House			32,600	1 11	
<i>Interest Account :</i>					
As per last Balance Sheet . . .	46,811	0 0			
Add actual Receipt during the year	24,714	5 0			
	71,525	5 0			
Outstanding interest Account . . .	20,007	13 0	91,533	2 0	
TOTAL	12,71,035	9 10	TOTAL	12,71,035	9 10

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(8) Fund Account Balance Sheet—(Contd.)

LIABILITIES				ASSETS			
Breakage of Geography Department	13	0	0	Construction of Staff Qrs. (Elec. Deptt.)	2,858	6	0
Breakage of Property Department	557	6	3	Women's College Construction Account	3,27,167	0	0
T. B. Patients	160	0	0	M. U. City School Boys Fund Account	244	12	0
T. B. Sanatorium	342	12	0	Tibbiya College Dawakhana Account (Advance)	1,814	14	11
M. U. School Museum	405	2	6	Inter-varsity Athletic Games Account	1,737	0	0
M. U. School Montessori Section	2,972	0	0	R. D. H. Account (Women's College)	24	4	0
Mosque Fund	2,619	13	3	Staff Club (Women's College)	2,725	1	3
Grave Yard Fund	504	0	3	M. U. Non-Recurring Grant for Equipment	22,502	10	6
Saifi Gold Medal Account	2,500	0	0	Exchange and Commission	2	8	0
Rent of Yousuf Villa Nasheman	1,207	14	0	Liabilities Account	194	7	0
Rock Felloe Foundation	3,280	0	0	Boarding House dues	150	0	0
			31,366 2 10	Salary recoverable (Womens' College)	8,377	14	0
				House Rent (Women's College)	77	8	0
				Suspense Account (Women's College)	284	15	0
				" " "	150 0 0		
					134 15 0		
Miscellaneous Deposits :				Accrued Income :			
Agriculture College Account	8,194	1	6	(a) Central Govt. Grant for Research Scholarship (Islamic Studies)	5,561	14	6
Flying Club Account	5,903	7	4	(b) U. G. C. Grant for the Development of Science Department (Zoology)	4,740	12	0
Tarwala Bungalow Mosque Fund	83	0	0	(c) Contribution from various Deptts. of University	26,244	0	0
Bilona Waqf Fund	104	12	3	(d) Central Govt. Grant for Historical Research and Publication Recurring	25,784	13	0
Medical College Account	16	0	0				62,331 7 6
Administrative and Ministerial Staff Association	1,415	0	0	UNESCO Coupons Scheme			8,878 10 0
H. H. the Rampur Donation	4,054	6	0	Depreciation on Motor Pump Sets			880 0 0
Tafsir Class Expenses	171	10	0	Investments (Women's College)	26,117	7	6
Donation for Theology Books	3,300	0	0	Investment (Girls School)	18,100	0	0
Donation for Islamic Studies	8,702	0	0				44,217 7 6
Donation for Hindi and Sanskrit Books	100	0	0				
Water Charges	147	0	0				
			32,191 5 1				
Women's College Bus Account	1,100	0	0				
Vendors' Security Deposit Account	68	0	0				
Col. Haider Memorial Fund	10	0	0				
Rent of Shah Jehan Manzil	242	0	0				
S. S. Dining Hall Account	88	13	0				
Rent of Md. Amin Hostel	864	3	0				
M. U. Industries Account	32	0	0				
			2,405 0 0				

THE GAZETTE OF INDIA: SEPTEMBER 19, 1959/BHADRA 28, 1881 2327

[illegible]

(8) Fund Account Balance Sheet—(Contd.)

LIABILITIES			ASSETS		
	Rs.	a p.	Rs.	a p.	Rs. a. p.
Loan on Provident Fund A/c. (W. College)	1,327	0 0			
Interest on Provident Fund A/c. (W. College)	18	5 0	Medical College Account	.	309 1 0
Hospital Dues (Women's College)	278	13 6			
Dinner Account (Women's College)	5	0 0			
M. U. Staff Club (Women's College)	39	12 0			
R.D.H. Account (Women's College)	14	6 0			
Magazine Account (Women's College)	1,732	4 0			
Donations (Women's College)	2,048	0 0			
Balance out of Non-Recurring Govt. Grant (Women's College)			7,596	8 6	
Buildings Fund (Women's College)			2,310	9 0	
M. U. Grant for Science Equipments (Women's College)			20,871	14 0	
U. P. Govt. Grant for Building (Women's College)			25,000	0 0	
Central Govt. Grant for Building (Women's College)			25,000	0 0	
U. P. Govt. Grant for maintenance of Hostel (Women's College)			4,00,000	0 0	
Purchase and sale of Medicines (Tib. College)			14,135	15 3	
B. C. of Sheikh Abdullah			4	0 0	
Advance Payments:			25	0 0	
1. S.S. Hall	26,044	9 0			
2. M. U. School B. House Account	46,695	11 6			
3. M. U. Deposit Account	5,000	0 0	77,740	4 6	
TOTAL			40,92,845	9 2	
					TOTAL . . . 40,92,845 9 2

(Sd.) ORAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

Certified that on the basis of the books of accounts produced and information and explanation furnished, the balance sheets of the Muslim University for 1954-55 were found to be correct subject to the foregoing comments and observations in the Audit Report.

(Sd.) KULWANT SINGH,
Deputy Accountant General
O. A. D.

APPENDIX "A"

Scholarships Current Account for the year ending 31st March, 1955

	Rs.	a.	p.
1. Donation for Sir Shah Mohd. Suleman Scholarship Fund . . .	11,740	9	3
2. Donation for A.M. Salim for Lady Ali Shah Gold Medal . . .	235	5	0
3. Donation for M. A. Mustafa for General Scholarship . . .	1,000	0	0
4. Donation from Sir Aga Khan	5,994	12	0
5. Farhat Memorial Prize	5,075	0	0
6. Foreign Study Loan	3,837	6	2
7. Haji Mohd. Zahoor Mohd. Saeed Scholarship	1,635	0	0
8. Sir Shah Mohd. Suleman Gold Medal	424	12	0
9. Watumal Foundation Scholarships	200	0	0
10. Mohd. Amin Scholarship Fund for University Students . . .	4,250	8	0
11. Mohd. Amin Scholarship for Engineering Students . . .	4,200	8	0
12. Theology Scholarship Fund	3,931	3	10
13. Stipends for Education Department	10,600	0	0
14. Latouch Muntaz Arabic Scholarship	884	2	8
15. Qirat Scholarship	546	0	0
16. Sir Abdur Rauf Scholarship Fund (for Engineering Studies) . .	2,000	11	6
17. Qadria Scholarship Fund	30	0	0
18. Scholarships out of Endowments	2,513	0	11
TOTAL	59,098	15	4

(Sd.) OBAIDUR RAHMAN KHAN,

Hony. Treasurer,

Muslim University, Aligarh.

APPENDIX "B"

*Unspent Balances of Government Grant for Research Scholarships for the year ending on
31st March 1955*

	Rs.	a.	p.
1. Central Government Grant	10,660	15	3
2. Research Grant for Post Graduate in Physics	53,512	4	3
3. Research Grant for Post Graduate (In Botany)	10,591	9	9
4. Fundamental Research Grant	5,500	0	0
5. Central Government Grant for Geography	4,700	0	0
6. Training Scholarship for Engineering College	1,710	5	0
7. Special Grant for Sanskrit and Arabic Scholarships	600	0	0
8. Grant for Research in Chemical Investigation of Khareef Seeds	733	0	0
9. Grant for Ophthalmology	5,000	0	0
10. Research Scholarship under Dr. P. S. Gill	14,679	14	6
11. Grant for Purchases of Equipment Chemistry Deptt.	9,081	8	0
12. Grant for Purchase of Equipment Zoology	2	5	0
13. Grant for Purchase of Equipment Geology	67	15	0
14. Grant for Purchase of Equipment Botany	35,000	0	0
15. Grant for Purchase of Equipment Bio-Chemistry	10,270	5	3
16. Grant for Library Construction	1,92,125	0	0
17. Grant for Research in Medieval Indian History	5,875	8	3
18. U. P. Government Grant for Promotion of Scientific Research Cosmic Rays	4,589	1	6
19. U. P. Government Grant for Scientific Research (Isolation and characterisation)	713	6	6
20. U. P. Government Grant for Scientific Research (Work on matrices)	2,650	0	0
21. U. P. Government Grant for Scientific Research (Integral Function)	0	0	9
22. U. P. Government Grant for Scientific Research (Work Insulin)	1,913	5	6
23. U. P. Government Grant for Scientific Research (Colouring material)	877	3	6
24. U. P. Government Grant for Scientific Research			
U. P. Government Grant for (D.D.T.V.T.C.P.)	1,723	4	0
25. U. P. Government Grant for Scientific Research (Glucose)	48	3	0
26. U. P. Government Grant for Scientific Research (Standardisation of Electronic Circuit)	1,625	5	6
27. U. P. Government Grant for (value of matrices)	2,797	0	0
28. U. P. Government Grant for University Research Scholarship Fund	1,504	8	0
29. U. P. Government Grant for Preparation of Meta Phosphatic	350	0	0
30. U. P. Government Grant for Rais Ahmad	1,150	0	0
31. U. P. Government Grant for Research Under Dr. A. R. Qidwai	2,300	0	0
32. U. P. Government Grant for Scientific Research Training Scholarship	1,443	11	3
33. U. P. Government Grant for Research Under A. M. Khan	2,499	14	0
34. U. P. Government for Petrological Study of coal	2,200	0	0
35. Cultural Scholarship	75	0	0
36. Central Government Grant (2 lacs)	7,114	5	0
37. Central Government Grant for Completion of Unfinished Hostel	59,192	10	3
38. Research in Indian History and Publication	4,942	13	6
39. Central Government Grant for Mathematics Books	0	4	7
40. Central Government Grant for Equipment—Physics	20,000	0	0
41. Central Government Grant for Equipment—Chemistry	47,579	12	0
42. Central Government Grant for Equipment—Botany	25,964	7	0
43. Central Government Grant for Equipment—Zoology	307	6	0
44. Central Government Grant for Library Books Sc. Deptt.	66,483	7	0
45. Central Government Grant for Research in humanities	800	0	0
46. Central Government Grant for Pay-Scale of Uny. Lecturers	6,612	9	0
47. U.G.C. Grant for Chemistry Development	45,000	0	0
48. U.G.C. Grant for Bio-Chemistry	18,750	0	0
49. U.G.C. Grant for Botany	37,500	0	0
50. U.G.C. Grant for Geology	—		
51. U.G.C. Grant for Improvement of Diploma (Conves)	1,00,000	0	0
TOTAL 'B'	8,28,818	4	1

(Sd). OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

APPENDIX "C"
Showing the Deficits during the year 1954-55

Departments	As per last Balance Sheet	Deficit(—) or surplus (+) as per Revenue a/c during the year	Total Deficit(—) or surplus(+) during the year	Remarks
	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Medical Department	49,682 8 3	45,943 12 0	95,626 4 3	
Gardens and Lands	32,441 14 3	26,468 15 3	58,910 13 6	
M. U. Gazette	4,368 12 9	3,440 6 0	7,809 2 9	
Ahmadi School for the Blind . . . . .	..	2,191 12 0	2,191 12 0	
Conservancy Department	32,204 10 9	12,197 3 9	44,401 14 6	
Polytechnic Department	4,176 9 3	26,282 9 0	30,459 2 3	
Electricity Department . . . . .	..	+34,650 5 6	+34,650 5 6	
Telephone Department	2,766 3 0	4,167 11 0	6,933 14 0	
M. U. High School	26,811 14 5	44,739 4 10	71,551 3 3	
M. U. City High School	51,346 3 5	20,796 6 0	72,142 9 5	
M. U. City Branch School	3,693 9 0	4,403 0 6	8,096 9 6	
Women's College*	58,961 4 5	98,552 15 0	1,57,514 3 5	*Shown in W. C. Balance Sheet in 1953-54, now merged in Fund Account.
Girls High School . . . . .	..	3,386 11 6	3,386 11 6	
Agriculture Farm and Fort	32,221 13 8	28,965 14 0	61,187 11 8	
Property Department	2,106 5 9	7,929 1 6	10,035 7 3	
Engineering College†	2,05,287 1 9	2,52,010 15 6	4,57,298 1 3	†Deficit to the end of 1952-53 Rs. 4,73,513/1/5 shown in the Balance Sheet of Engg. College under the head "Engg. College Revenue A/c."
Additions and Alteration	1,93,409 4 9	15,158 5 3	2,08,567 10 0	Accumulated deficit taken out due to Central Government Grant for equipment shown in a separated Balance Sheet.
Tibbiya College*	55,315 7 4	1,09,401 2 9	1,60,716 10 1	‡Deficit to the end of 1952-53 Rs. 1,77,595/15/3 shown in the Balance Sheet of Tibbiya College under the head T. C. Rev. A/c.
Proctorial Department	10,006 14 8	..	10,006 14 8	
Examination Department	5,989 8 3	8,433 9 9	14,423 2 0	
Muslim University Revenue Account	1,84,714 14 10	1,99,915 7 6	3,84,630 6 4	
TOTAL	9,55,505 0 6	9,10,385 3 1	18,65,890 3 7	
		+34,650 5 6	+34,650 5 6	
GRAND TOTAL	9,55,505 0 6	8,75,734 13 7	18,31,239 14 1	

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(6) Deposit Account
Balance Sheet as at 31st March, 1955

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
<i>All India Muslim Educational Conference:—</i>			<i>All India Muslim Educational Conference Investments:—</i>		
Current Account	1,067	2 0	Rs. 1,71,500@3% Conversion loan 1946 at cost	1,16,620	0 0
Reserve Fund	1,37,151	12 0	Rs. 21,000@4% loan 1960—70 at cost	20,531	12 0
Provident Fund	5,111	13 0			1,37,151 12 0
<i>Duty Society Account:—</i>			<i>All India Muslim Educational Conference Provident Fund Investments</i>		
Duty Society	46,105	2 2			5,534 4 2
Construction of Society Building	8,600	0 0	Karnal waqf Investment (Rs. 1,00,000) at 4% loan 1955—60		1,09,468 12 0
R.D.H. Account	8,058	13 0			
<i>Karnal Waqf:—</i>			<i>Staff Securities Investments:—</i>		
Current Account	15,675	5 1	Rs. 750@4% loan 1960—70 at cost	738	12 0
Karnal Waqf Investment	1,09,468	12 0	Rs. 250@3% Conversion loan 1946	241	6 6
			Rs. 150@3% Conversion loan 1946	144	13 6
<i>Securities:—</i>					1,125 0 0
Staff Securities	500	0 0	<i>Deposit with Hydro Electric Engineer Roorkee:—</i>		
Personal Deposits	13,509	0 0	Post Office Cash certificate of Rs. 2,840 and Rs. 2,500		4,937 4 0
Building Contractors Security	13,085	0 0			
M. U. Cashier Security	207	11 0	<i>General Reserve Investments:—</i>		
Rasheed Ahmad Security	11	2 0	Rs. 550@4% loan 1960—70 at cost	541	3 0
Compounders Security	167	14 0	Rs. 5,300@3% loan 1961—66 at cost	5,001	14 0
Electric Deposit	1,735	13 0	Rs. 25,000@3% U.P. loan 1961—66 at cost	23,963	4 0
City High School B. House Security	50	0 0	Rs. 50,000@3% G. P. Notes 1963—65 at cost	44,111	7 8
Horticulture Inspector's Security	500	0 0	Rs. 1,00,000@3% Victory loan 1957	1,00,791	10 8

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(9) Deposit Account Balance Sheet—(Contd.)

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
Mohd. Amin Hostel Account . .	259	12 3			
N. C. C. Account	1,071	15 6			
Poor Students Fund	2,127	6 1			
Philosophical Society	125	0 0			
Rent of Sarfaraz House	438	9 0			
Recovery of Government money . .	250	0 0			
Refugees Students Account	22	2 8			
Suspense Account	5,668	12 6			
Sir Salar Jang Scholarship	58	11 0			
Scholarship for Arabic Students Account	294	6 0			
Vice-Chancellor's Fund	1,361	1 11			
Dr. Zakir Husain Fund	12,363	3 3			
Tarwala Bungalow Mosque Fund . .	324	1 6			
K.B.S. Abdullah 80th Birthday Fund	360	9 0			
Library Deposit	25	0 0			
Kashmir Needy Students Fund . . .	750	0 0			
I. S. S Fund	1,132	6 0			
Engineering Society	37	7 6			
Interest on Loan	12	14 0			
Boarding House Dues	36	9 0			
Staff Association	1	8 0			
M. U. Industries Account	1,230	10 3	1,35,042	9 2	
General Reserve			541	3 0	
TOTAL		6,21,708 8 5	TOTAL		6,21,708 8 5

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

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(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(II) Addition and Alteration to the Engg. College

Building Account Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS				
	Rs.	a.	p.		Rs.	a.	p.
<i>Central Government Grant for Building :—</i>				<i>Building under Construction</i>			
As per last Balance Sheet			4,69,000	0	0		
Income by Miscellaneous Refund			93,642	3	1		
Loan from Medical College			25,000	0	0		
Transferred from Spl. Floating Reserve Fund (for roofing of Assembly Room and Radio Communication Lab.)			35,000	0	0		
Net deficit carried over to Fund Account Balance Sheet							
Accumulated Deficit	1,93,409	4	9				
Add Current year Deficit	15,158	5	3				
			2,08,567	10	0		
							</

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(12) Equipments for Engineering College
Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS			
	Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
Central Government Grants						
As per last year Balance Sheet . .	10,80,000	0 0				
			Equipments for Engg. College:			
			Equipments for Testing Lab. . .	1,01,140	13 6	
			Equipments for Hydraulic Lab. . .	58,628	11 6	
			Equipments for Elect. Lab. (Power) .	1,39,382	13 3	
			Equipments for Survey Room . .	76,569	10 3	
			Equipments for Workshop . .	2,16,107	8 6	
			Equipments for Heat Engine Lab. . .	50,822	4 6	
			Equipments for Elec. Lab. Communi- cation . .	42,877	0 3	
			Equipments for Drawing Hall . .	511	13 0	
			Equipments for Geology Lab. . .	6,827	1 6	
			Equipments for Fire Apparatus . .	4,157	11 0	
			Equipments for Irrigation Lab. . .	6,824	13 6	
			Equipments for Drawing Hall (Mech.)	3,376	13 3	7,07,227 2 0
			Audiovisual Aid . .			10,484 6 0
			Erection of Machine (Elect.) . .	14,800	12 3	
			Erection of Machine (Mech.) . .	5,379	2 6	
			Erection of Machine (Civil) . .	1,043	13 0	
			Erection of Machine (General) . .	19,539	3 3	40,762 15 0
			Books and Periodicals :—			
			Electrical	6,884	8 11	
			Mechanical	10,260	15 10	
			Civil	8,309	10 0	
			General	147	6 6	25,602 9 3
			Office Appliances —			
			Cycles	491	1 3	
			Type-writer	2,038	1 6	
			Accessories	3,076	14 3	5,606 1 0
			Cash with M.U. Fund Account . .			2,90,316 14 9
TOTAL	10,80,000	0 0	TOTAL	10,80,000	0 0	

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(13) College of Engineering and Technology

Balance Sheet as at 31st March, 1955.

LIABILITIES				ASSETS			
	Rs.	a.	p.		Rs.	a.	p.
Engg : Colleg Reserve Fund	2,01,723	0	9	Investment in G.P. Notes :			
Building Fund	2,05,976	3	1	Rs. 2,50,000 @ 4% loan 1960-70 at par	2,50,000	0	0
Equipment Fund	2,57,966	1	11	Buildings	2,050,976	3	1
Machinery Fund	1,70,983	5	5	Equipments	2,57,966	1	1
Aeronatic Fund	12,000	0	0	Machinery	1,70,983	5	5
Furniture Fund	12,690	8	9	Aeronatic Lecture Rooms A/c	12,000	0	0
Books Fund	10,237	9	3	Furniture Account	12,690	8	9
Electrification Fund	12,830	12	6	Books	10,237	9	3
Soap Account	2	8	9	Electrification	12,830	12	6
Depreciation on Machinery (Engg. College Civil, Mechanical, Elec. and Workshop)	67,500	0	0	Loan for Soap Making	500	0	0
As per last Balance Sheet 58,500 0 0	2,770	10	9	Engg. College Revenue A c	9,30,811	2	8
Add deficit during the year 9,000 0 0	1,485	9	0	City and Guilds Examination	501	4	0
Depreciation on Radio and Telephone	27,465	3	9	Cash with M.U. Fund Account	8,302	0	0
Tool Deposit	4,31,869	4	5				
Apparatus and Equipments							
Advance from M.U.							
Net Deficit Carried over to Fund Account Balance Sheet :							
As per last Balance Sheet 2,05,287 1 9							
Add deficit during the year 2,52,010 15 6	4,57,298	1	3				
TOTAL	18,72,798	15	7	TOTAL	18,72,798	15	7

(Sd.) OBAIDUR RAHMAN KHAN,

Hony. Treasurer,

Muslim University, Aligarh.

(14) Tibbiya College Fund

Balance Sheet as on 31st March, 1955.

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a. p.	
Tibbiya College Building Fund . .			3,31,451 15 9		Tibbiya College Building Account
Eye Surgery Fund					Tibbiya College Revenue Account
As per last Balance Sheet . .	2,570	9 9			3,31,451 15 9
Add receipts during the year . .	32	15 0	2,603 8 9		3,38,312 9 4
Kitabun Nabz Fund					Tibbiya College Boarding House Account
As per last Balance Sheet . .	321	2 0			2,755 0 6
Add receipts during the year . .	38	0 0	359 2 0		Tibbiya College Student Account
Depreciation on Buildings					Cash with M.U. Fund Account
Government Grant for Buildings . .			7,000 0 0		7,561 0 6
Depreciation on X-Ray Machine . .			7,000 0 0		1,997 5 0
As per last Balance Sheet . .	1,000	0 0			
Add deficit during the year . .	500	0 0	1,500 0 0		
Advance from Muslim University . .			1,71,446 10 6		
Net Deficit carried over to Fund Account Balance Sheet					
As per last Balance Sheet . .	55,315	7 4			
Add deficit during the year . .	1,05,401	2 9	1,60,716 10 1		
TOTAL			6,82,077 15 1		TOTAL
					6,82,077 15 1

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(15) Dawakhana Tibbiya College Account.

For the year ended on 31st March, 1955.

EXPENDITURE			INCOME		
	Rs.	a. p.		Rs.	a. p.
Purchase of Medicines :					
Container & Packing material			33,568 10 6 By sale of Medicines		
			6,785 15 3 Net Deficit during the year	68,930 6 10	
			to Fund Account Balance Sheet	Carried over	
				1,814 14 11	
Fuel	724	9 0			
Printing	6,148	0 9			
Advertisement	5,124	15 9			
Furniture	485	8 0			
Machine	1,000	0 0			
Repairs	162	9 0			
Miscellaneous	987	15 6			
Bonus	656	0 0			
Postage	1,479	5 3			
Carriage	193	14 9			
Railway Freight	449	14 0			
Discount	158	0 0			
			17,570 12 0		
To Salaries			9,635 9 0		
To Provident Fund			128 4 6		
To Dearness Allowance			60 0 0		
To Daily wages			2,996 7 6		
TOTAL	70,745	5 9	TOTAL	70,745	5 9

(Sd.) OBAIDUR RAHMAN KHAN,

Hony. Treasurer,

Muslim University, Aligarh.

(16) Female Education Association Account

Balance Sheet as on 31st March, 1955.

LIABILITIES			ASSETS			
	Rs.	a. p.	Rs.	a.	p.	Rs. a. p.
Reserve Fund Investment	1,71,581	2 10	<i>Investments :—</i>			
Current Account	12,216	2 9	Rs. 25,000/- @ 3% Funding Loan			
			1966-68			
			Rs. 80,000/- @ 4% State Develop-			
			ment Loan 1963			
			Rs. 1,500/- @ 3% Conversion Loan			
			1946			
			Rs. 30,000/- @ 3% Loan 1963-65			
			Rs. 4,500/- @ 4% Loan 1960-70			
			Rs. 30,000/- 7 years National Saving			
			Certificates to be matured on 30-3-			
			1962			
			Cash Bank of Current Account			
TOTAL	1,83,797	5 7	TOTAL	1,83,797	5 7	

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(17) Medical College Account Balance Sheet

As on 31st March, 1955

LIABILITIES				ASSETS			
	Rs.	a.	p.	Rs.	a.	p.	Rs. a. p.
Individual Collection				23,99,578	12	8	
States Donation				16,05,000	0	0	
National Saving Certificate Investment Fund				1,20,000	0	0	
<i>Liabilities Account :—</i>				<i>Investments :—</i>			
Contribution to M. U. Fund A/c	2,000	0	0	Rs. 1,00,000 @ 3% Victory loan of 1957			1,00,750 0 0
Contribution Medical Deptt.	4,911	0	0	Rs. 10,00,000 @ 3% Victory loan of 1959-61			10,05,666 10 8
				Rs. 21,00,000 @ 3% 1st Development 1960-70			20,82,257 2 5
<i>Interest Account :—</i>				Rs. 2,00,000 @ 3% W.P. Loan 1961-66			2,10,591 13 3
As per last Balance Sheet	8,64,849	2	7	Rs. 50,000 @ 4% Development loan 1963			49,750 0 0
Add receipt during the year	1,19,073	4	0	Rs. 2,80,000 @ 3% Conversion loan 1946			2,86,449 12 3
	9,83,952	6	7	Rs. 1,00,000 @ 3% Funding loan 1966-68			1,04,490 4 9
Less transaction during the year :—				Rs. 37,500 @ 3% G.P. Notes 1957			37,476 5 0
(a) Revenue Expenditure	81,612	6	0	Rs. 1,00,000 @ 3% G.P. Notes 1957			1,00,000 0 0
(b) Transferred to Medical Study loan	40,000	0	0				39,77,432 0 4
(c) Transferred to Invest	1,20,000	0	0	<i>National Saving Certificates :—</i>			
	2,41,612	6	0	Rs. 70,000			70,000 0 0
Income from Rent of Madhurest				Rs. 50,000			50,000 0 0
							1,20,000 0 0
				<i>Medicines :—</i>			
<i>Current Accounts :—</i>				As per last Balance Sheet			1,14,369 14 11
Pathology Examination	98	0	0	Less Income during the year			5,211 4 0
Blood Test Examination	103	0	0				1,09,158 10 11
Prospectus Account	59	15	0	<i>Fund Account :—</i>			
Lab. Income	253	8	0	Furniture			6,341 0 0
Rent A/c Ophthalmology	903	1	6				

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(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(18) Abstract Revenue Account of the M. U. Fund.

For the year ended 31st March, 1955.

EXPENDITURE				INCOME						
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	
A. Muslim University including Faculties of Theology, Arts and Science Departments				A. Muslim University including Faculties of Theology, Arts and Science Departments.						
				22,35,472	15	9	20,35,557	8	3	
B. Other Departments:—				B. Other Departments:—						
1. Medical Department	1,17,169	10	6	1. Medical Department	71,225	14	6			
2. Conservancy Department	22,402	1	0	2. Conservancy Department	10,204	13	3			
3. Property Department	14,150	7	0	3. Property Department	6,221	5	6			
4. Garden and Lands	29,644	11	3	4. Garden and Lands	3,175	12	0			
5. Agriculture Farm and Fort Account	55,747	0	0	5. Agriculture Farm and Fort A/c.	26,781	2	0			
6. M. U. Gazette Account	3,520	14	0	6. M. U. Gazette Account	80	8	0			
7. Examination Department	1,76,680	13	0	7. Examination Department	1,68,247	3	3			
8. Electricity Department	1,02,339	4	3	8. Electricity Department	1,36,989	9	9	4,22,926	4	3
			5,21,654	15	0					
C. Allied Institutions:—				C. Allied Institutions:—						
1. College of Engg. and Technology	3,38,008	11	9	1. College of Engg. and Technology	85,997	12	3			
2. Polytechnic Department	51,874	15	9	2. Polytechnic Department	25,592	6	9			
3. Telephone Section	4,995	11	0	3. Telephone Section	828	0	0			
4. Tibbiya College	1,56,684	14	3	4. Tibbiya College	51,283	11	6			
5. M. U. School	72,780	6	0	5. M. U. School	28,041	1	2			
6. M. U. City High School	58,141	13	0	6. M. U. City High School	37,345	7	0			
7. M. U. City Branch School	5,533	13	8	7. M. U. City Branch School	1,130	12	6			
8. Women's College	1,51,921	10	0	8. Women's College	53,368	11	0			
9. M. U. Girls School	39,307	1	6	9. M. U. Girls School	35,920	6	0			
10. Ahmadi School for the Blind	4,024	5	0	10. Ahmadi School for the Blind	1,833	3	0	3,21,341	7	2
11. Addition and Alteration to Engineering College				11. Addition & Alteration to Engg. College				5,000	10	0
			20,158	15	3			27,84,825	13	8
								8,75,734	13	7
				Net Deficit during the year						
TOTAL			36,60,560	11	3	TOTAL		36,60,560	11	3

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(19) M. U. Revenue Account (Faculties of Arts, Sc. & Misc. Deptts.)

For the period ended on 31st March, 1955

EXPENDITURE				INCOME			
	Rs.	a.	p.	Rs.	a.	p.	Rs. a. p.
1. Salaries :—				Grants-in-aid :—			
(a) Teaching Staff	7,12,011	15	3	1. Central Govt :—			
(b) Administrative Staff	1,14,559	7	0	(a) Annual Recurring	12,50,000	0 0	
(c) Ministerial Staff	1,03,340	7	0	(b) Special Additional Emergency	1,00,000	0 0	13,50,000 0 0
(d) Technical and Vocational Staff	70,786	5	0				
(e) Subordinate Staff	49,864	15	3	2. U. P. Govt. Grants :—			
(f) Temporary Staff in leave vacancy	35,864	0	0	(a) Annual Recurring	64,400	0 0	
g) Salaries Ophthalmology	11,488	4	0	(b) Special for B. Ed. Stipends	4,000	0 0	68,400 0 0
h. Salaries Ophthalmology Gl. Section	671	0	0				
(i) Salaries Temporary Staff for Balance Sheet	1,178	10	0	3. Rampur Grant			6,000 0 0
				4. Sir Salar Jang State Grant			1,187 13 0
2. Dearness Allowance			2,39,455 14 9	5. Interest on Reserve Fund Investments :—			
3. Provident Fund			55,071 5 0	Permanent Endowment Fund }	89,887	8 0	
4. Gratuities			253 1 0	Permanent Endowment Fund }			
5. General T. A.			29,309 8 6	Special Floating Fund	68 153	10 0	
6. T. A. to Executive Members			6,239 9 3	By outstanding interest as on 31-3-1955	9,512	0 0	1,67,553 2 0
7. Allowances			5,157 14 3				
8. General Expenses :—				6. Waqfs :—			
Contingencies	35,349	8	0	(a) Karnal Waqf Fund	2,200	0 0	
Lab. Running Expenses	68,115	3	0	(b) Moinuddin Art Gallery	600	0 0	2,800 0 0
Uniform Ophthalmology	187	8	0				
Publication and advertisement charges	13,959	3	0				
Hand work material Education Deptt	589	3	0				
Perishable material Education Deptt.	78	3	0				
Physical workshop Expenses	1,305	11	6				
Field work for Cosmic Rays	8,226	13	6				

(19) M. U. Revenue Account (Faculties of Arts, Sc. & Misc. Deptts.)—(Contd.)

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
Bio-Chemical works	3,185	4 3	7. By Royalties :—		
Herbarium and Museum Botanical Deptt.	830	9 0	M. U. Press	3,185	12 0
Experimental work Botanical Deptt.	656	1 6	Flour Mills	1,904	6 0
Specimen Geology Department	1,459	2 0			5,090 2 0
Glassware in Chemical Deptt.	966	15 6	8. By Fees from Students :—		
Exhibition Expenses	199	10 6	(a) Tuition fee	1,19,422	2 9
Badges (Proctorial Deptt.)	139	5 0	(b) Tuition fee outstanding	1,16,091	5 3
Identity Cards	40	0 0	(c) Enhanced Tuition Fee	15,400	8 0
Watering charges	281	3 0	(d) Enhanced Tuition fee outstanding	25,517	8 0
Ramzan Expenses (Sunni)	350	0 0	(e) B. T. Class Tuition and admission Fee	206	8 0
Funeral Expenses	29	10 3	(f) B. T. Class Tuition and outstanding	182	0 0
Cemetery Expenses	35	0 0	(g) Admission Fee	10,042	0 0
Entertainment Expenses	3,397	13 0	(h) Admission Fee Outstanding	443	0 0
Liveries	3,399	5 9	(i) Transfer Certificate Fee	5,093	4 0
Extension Lectures	2,021	8 3			2,92,398 4 0
Excursions	6,812	8 6			
Rent of Conf. Hall with Elec. Service	1,719	14 0			
Electric Charges	44,987	9 9			
Telephone Rents	2,125	5 0			
Improvement of University Lands	1,015	0 6			
Fire Insurance Premium	1,184	1 0			
Interest on loans	1,470	3 0			
Exchange and Commission	134	10 0			
V. C's Car University Cars and Station Wagon Expenses	6,254	9 0			
Unforeseen Expenses	20,334	8 9			
Cataloguing and accessories	802	10 9			
Printing and Binding	29,051	10 3			
Annual Repairs of Building, Roads and other Petty works	32,425	14 0			
Repairs of Cycles and Typewriter	220	5 0			
Depreciations					
Periodicals and Journals	226	2 9			
Apparatus and appliances	15,424	15 6			

SEC. 3(11)]

THE GAZETTE OF INDIA

SEPTEMBER 19,

959/BHADRA 28, 1881 2347

[illegible]

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(20) Medical Department Revenue Account

For the year ended 31st March, 1955

EXPENDITURE				INCOME			
	Rs	a	p	Rs	a	p	Rs
<i>To Salaries —</i>				<i>By Medical Fees from Students —</i>			
Technical Staff	33	610	1 0	University and Engineering College			
Ministerial Staff	1,393	4	0	Non Resident Centre	15,043	3 6	
Subordinate Staff	1 972	1 6		Outstanding Medical Fee	12,702	0 0	
				Medical Examination Fee	1,022	8 0	
To Provident Fund	2,287	5	0	Medical Examination Fee (Outstanding)	169	0 0	
To Dearness Allowance	11,819	13 0		Health Programme (Anti Malaria)	3,986	13 0	
				Health Programme Outstanding	3,396	2 0	
<i>To General Expenses —</i>				<i>By Contributions—</i>			
Conveyance Allowance	1 944	13 0		Egg College	125	0 0	
House Concession to Compounders & Nurses	936	0 0		Medical College	4 911	0 0	
Electricity Concession qualified nurses	41	6 0		<i>Drug Stores —</i>			
Uniform to Subordinate Staff	41	6 0		By Sale of Medicines	29,855	12 0	
Contingencies and Printing	170	0 0		By Sale of Medicines Outstanding	14	8 0	
Electric Charges	1 454	0 6		Net deficit during the year	45,943	12 0	
Water Supply	2,094	13 9					
Hospital Equipment	66	14 3					
Hot Weather Expenses	795	13 9					
Repairs and Varnish of Furniture	8	2 0					
Honorarium and extra duty Allowance for Medical Exam	182	12 9					
Consultation Fee	332	0 0					
Pathology Examination	163	0 0					
Purchase of Medicines	342	8 0					
X-Ray Examination	7,750	13 9					
Medical Examination	428	3 0					
Health Education	2,950	8 3					
Anti Malaria Expenses	587	11 9					
Medical Comforts	4,597	0 3					
	1,060	1 9					

Sec. 3(ii)

THE GAZETTE OF INDIA

SEPTEMBER 19, 1959/BHADRA 28, 1981/2349*

(20) Medical Department Revenue Account—*contd.*

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
Special Diet for Patients . . .	16	10 0			
Telephone Charges . . .	393	0 0			
Mass Miniature X-Ray Radiography	6,544	7 3			
Electric Fans . . .	489	8 3			
Purchase of furniture . . .	487	12 0			
Purchase of Crockery . . .	193	8 0			
			34,031	8 3	
<i>Drug Stores :—</i>					
(a) Salaries . . .	1,997	12 9			
(b) Allowance . . .	732	12 9			
(c) Stationery . . .	87	0 3			
(d) Contingencies . . .	23	10 6			
(e) Over Head Charges . . .	379	1 6			
(f) Purchase of Medicines . . .	114	8 0	3,334	13 9	
Purchase of Medicines . . .			28,720	12 0	
TOTAL . . .			1,17,169	10 6	
			TOTAL . . .		1,17,169 10 6

(Sd) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(21) Conservancy Department Revenue Account

For the year ended on 31st March, 1955

EXPENDITURE						INCOME							
	Rs.	a.	p.	Rs.	a.	p.		Rs.	a.	p.	Rs.	a.	p.
<i>To Salaries :—</i>						<i>By Contributions :—</i>							
Technical Staff	1,402	7	0				Sir Syed Hall (outstanding)	3,000	0	0			
Subordinate Staff.	9,595	3	0				Viqarul Mulk Hall	800	0	0			
							Aftab Hall.	2,000	0	0			
<i>To Dearness Allowance</i>	9,520	10	0	20,518	4	0	Sir Suleman Hall	800	0	0			
							M. U. School	1,436	0	0			
<i>To General Expenses :—</i>							Tibbiya College	500	0	0			
Conveyance Allowance	60	0	0				By Sanitary Tax, Residential Quarters	1,487	10	9			
Contingencies	300	11	9				By Income from Slaughter House	131	2	6			
Maintenance of Carts	300	7	0				By Sale of Compost	50	0	0	10,204	13	3
Disinfectant poison	104	12	0										
Slaughter House Expenses	330	0	0	1,095	14	9	Net deficit during the year				12,197	3	9
Purchase of new carts	370	11	3										
Liveries	229	9	0										
Purchase of Dust bins	187	10	0	787	14	3							
TOTAL				22,402	1	0	TOTAL				22,402	1	0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(22) Property Department Revenue Account

For the year ended 31st March, 1955

EXPENDITURE						INCOME							
	Rs.	a.	p.	Rs.	a.	p.		Rs.	a.	p.	Rs.	a.	p.
<i>To salaries :—</i>							<i>By Rent :—</i>						
Ministerial Staff	2,759	12	0				Rent of Land (Agriculture)	1,753	12	6			
Subordinate Staff	534	0	0	3,293	12	0	Lease of Land (99 years)	521	0	0			
							Hire of Furniture and Crockery	1,338	9	0	3,593	5	6
<i>To Provident Fund</i>				60	12	0							
<i>To Dearness Allowance</i>				2,015	6	0	<i>By Miscellaneous :—</i>						
							Sale of Grass	600	0	0			
<i>To General Expenses :—</i>							Sale of Wood	1,096	7	0			
Contingencies	137	5	6				Miscellaneous Income	931	9	0	2,628	0	0
Temporary Labour	155	11	6										
Repairs to furniture	1,768	14	9										
Court Expenses	4,280	4	6								6,221	5	6
Land Revenue	2,349	8	0				<i>By net deficit during the year</i>				7,929	1	6
Miscellaneous charges of Zahoor Ward	88	12	9	8,780	9	0							
TOTAL				14,150	7	0	TOTAL				14,150	7	0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(23) Gardens and Land Revenue Account

For the year ended 31st-March, 1955

EXPENDITURE

INCOME

To Salaries :—

Central Zone Gardens	Rs.	a.	p.
Other Gardens	5,079	14	0
{ V. C's House . 720 0 0			
{ Edn. Deptt. . 240 0 0			
{ Other Garden 1,161 5 0			
	2,121	5	0

To Provident Fund

To Dearness Allowance :—

Central Zone Gardens	Rs.	a.	p.
Other Gardens	5,440	1	0
{ V. C's House . 900 0 0			
{ Edn. Deptt. . 300 0 0			
{ Other Garden 1,762 14 0			
	2,962	14	0

To General Expenses :—

Cycle Allowance	Rs.	a.	p.
Kamera labour	4,490	5	3
Manure	200	0	0
Seeds	148	1	0
Plants and shrubs	198	15	0
Implements	98	7	6
Contingencies	24	9	0
Miscellaneous	299	2	0
Concentrate and Fodder for bullocks	284	12	0
Purchase of Tin drums	150	0	0
Development of Plots	599	8	3
Purchase of Drums for watering	150	0	0
Repairs of bullock carts	100	0	0

By Income from :

Ochards	Rs.	a.	p.
Vegetables and other products	610	0	0
Sale of Grass and Flowers	609	8	0
Sale of Plants	499	0	0
Sale of Bhusa, Gram, Fodder and Karab	218	8	0
Contribution from S. S. Hall, N. R. S. C. and Aftab Hall	238	12	0
Net deficit during the year	1,000	0	0
		3,175	12 0
		26,468	15 3

(23) Gardens and land Revenue Account—(Contd.)

Expenditure		Income	
	Rs. a. p.	Rs. a. p.	Rs. a. p.
<i>To Upkeep of gardens :—</i>			
1. (a) S. S. Hall watering Charges	601 13 6		
(b) Engg. College watering Charges	523 9 6		
(c) Phv. Deptt. watering Charges	89 3 6		
(d) Bot. Chem. etc. Watering Charges	463 7 6	1,678 2 0	
2. (a) S. S. Hall Manures	149 0 0		
(b) Engg. College Manures	500 0 0		
(c) Physics Deptt. etc. Manures	100 0 0		
(d) Botany Deptt. etc. Manures	503 8 0	1,252 8 0	
3. <i>Other Expenses :—</i>			
(a) V. M. Hall	311 2 6		
(b) V. C's House	258 5 0		
(c) Edn. Deptt.	291 6 6		
(d) Purchase of Lawn Mowers	400 0 0	1,260 14 0	4,191 8 0
Watering Charges		2,882 9 3	
TOTAL		29,644 11 3	TOTAL 29,644 11 3

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(24) Agriculture Farm and Fort Revenue Account

For the year ended 31st March, 1955

EXPENDITURE			INCOME		
	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.
A. Agriculture Farm:—			A. Agriculture Farm:—		
To Salaries		6,280 0 0	By Products :		
To Dearness Allowance		420 0 0	Sugar Cane Ponda	1,057 14 0	
			Cotton	1,730 12 0	
To General Charges :—			Wheat	6,668 0 0	
Conveyance Allowances	900 0 0		By other Products :	2,011 4 3	
Concentrate and Live stock	864 13 0		Orchard	130 0 0	
Labour Charges	7,396 7 9		Bhusa, Gram Fodder and Karab	760 12 0	
Rent to Government	100 0 0		Miscellaneous	447 13 0	
Seeds	960 12 0		Vegetable	951 10 0	
Canal Dues	920 10 0		Contribution from Fort	3,252 0 0	
Repairs of Tools and Implements	2,640 15 9				
Contingencies	117 9 0		B. Fort.		
Miscellaneous	574 4 6		Kharif Products	2,899 7 0	
Manure	1,415 1 0		Rabi Products	6,603 1 3	
Electricity (General)	79 8 0		Cash Crops	268 8 6	26,781 2 0
Electricity (Power)	170 7 0				
Cultivation Charges	1,990 15 3	18,131 7 3	Net deficit during the year		28,965 14 0
B. Fort Account :—					
Salaries	1,083 0 0				
Wages	6,488 4 3				
Cultivation charges	3,897 6 0				
Rent of agriculture land	1,400 0 0				
Seeds	575 14 0				
Watering	1,959 6 0				

(24) Agriculture Farm and Fort Revenue Account—*contd.*

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
Contingencies	219	6 0			
Conveyance charges	450	0 0			
Repairs to the Building	497	14 0			
Contribution to Agriculture Farm	3,252	0 0			
Water Pump	1,498	2 0			
Cleaning and Boring of wells	1,861	5 0			
Diesel Tractor	5,640	0 0			
Laying of new lands and other development	2,092	15 6	30,915	8 9	
TOTAL			55,747	0 0	55,747 0 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(25) University Gazette Revenue Account

For the year ended on 31st March, 1955.

EXPENDITURE			INCOME		
	Rs.	a. p.		Rs.	a. p.
<i>To Salaries :</i>					
Establishment ¹		1,677 5 0	By Subscription	73	0 0
			By Advertisement	7	8 0
			Net Deficit during the year		3,440 6 0
<i>To General Expenses :</i>					
Printing charges	1,676	4 0			
Postage	53	12 0			
Stationery	96	2 0			
Maintenance of cycle	17	7 0			
TOTAL .		3,520 14 0	TOTAL .		3,520 14 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

Examination Department Revenue Account

For the year ended 31st March, 1955.

EXPENDITURE

INCOME

	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.
<i>To Salaries :</i>					
Administrative Staff	2,952 14 0		By Examination Fee	1,36,087 8 0	
Ministerial Staff	5,934 14 0		By Enrolment Fee	8,635 13 0	
Subordinate Staff	564 0 0		By Enrolment fee outstanding .	345 0 0	
Temporary Staff	401 4 0	9,853 0 0	By Registration Fee	3,535 6 0	
Dearness Allowance		3,884 3 0	By Diploma and Certificate fee .	7,408 6 0	
Provident Fund		499 0 0	By Sale of Syllabus	1,206 7 3	
Contingencies	13,845 13 0		By Miscellaneous	11,028 11 0	1,68,247 3 3
Printing Charges	16,182 14 3		Net Deficit during the year . .		8,433 9 9
Printing of papers	500 0 0				
Printing of Syllabus	1,474 15 0				
Convocation Expenses	4,811 6 9				
Answer Books	7,575 15 3				
Remuneration to Examiners . .	88,576 5 9				
Travelling Allowances	14,392 4 0				
Merit Scholarship	11,515 0 0				
Printing of Degrees and Certificates	3,570 0 0	1,62,444 10 0			
TOTAL		1,76,680 13 0	TOTAL		1,76,680 13 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(27) Electricity Department Revenue Account

Balance Sheet as at 31st March, 1955.

EXPENDITURE			INCOME						
	Rs.	a. p.	Rs.	a. p.		Rs.	a. p.	Rs.	a. p.
To Salaries of Establishment . . .	10,340	2 0			<i>By Income Current Account:—</i>				
To Contribution to Provident Fund . .	679	8 0			Lecture Rooms and Offices and other				
To Government Charges and Royalty . .	84,629	15 0			Departments	42,024	10 0		
To Dearness Allowance	5,623	0 0			University Halls	66,861	7 6		
To Maintenance	324	0 0			Residential Quarters, Tibbiya College				
To Office Contingency	546	4 9			Staff, Clubs and Societies and Engg.				
To Rain Coats	87	2 6			College	25,969	12 3		
To Workmen Uniform	109	4 0	1,02,339	4 3	M. U. School and its Hostel . .	2,133	12 0	1,36,989	9 9
Net surplus during the year . . .			34,650	5 6					
TOTAL			1,36,989	9 9	TOTAL			1,36,989	9 9

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(28) College of Engg. and Tech. Revenue Account

For the year ended on 31st March, 1955.

EXPENDITURE				INCOME			
	Rs.	a.	p.	Rs.	a.	p.	Rs. a. p.
<i>To Salaries :</i>				By Interest on investments			10,000 0 0
Teaching Staff	124,724	2	0				
Administrative Staff	15,308	14	0				
Ministerial Staff	12,947	6	0	By Income from fees:—			
Technical Staff	41,777	0	3				
Subordinate Staff	11,795	0	0	Tuition Fee	22,552	10 0	
				Tuition Fee Outstanding	44,777	8 0	
<i>To Saving of Salaries</i>			400 0 0	Admission Fee	1,755	0 0	
<i>To Provident Fund</i>			11,993 13 0	Test Examination Fee	5,430	8 0	
<i>To Dearness Allowance</i>			55,865 13 0	By Workshop Income	581	8 9	
<i>To Travelling Allowances :</i>				By Elec. Lab. Income	37	4 0	75,134 6 9
Office	92	5	3	By Miscellaneous:—			
Elect. Engineering	95	10	0	Sale of Prospectus	731	0 6	
Mech. Engineering	219	6	0	Sale of Examination Papers	21	8 0	
Civil Engineering	238	7	6	Miscellaneous Income	63	0 6	
			645 12 9	Miscellaneous Income Outstanding	43	12 6	
<i>To Contingencies :</i>				Sale of syllabus	4	0 0	863 5 6
Office	1,599	2	9				
Workshop	80	13	6				
Elect. Engineering	139	14	0				
Mech. Engineering	125	10	6				
Civil Engineering	68	0	9				
			2,013 9 6				
<i>To Running Expenses :</i>							
Electrical Engg.	247	5	6				
Mech. Engineering	235	15	6				
Civil Engineering	255	8	9				
Workshop	581	3	3				
			1,320 1 0	Net Deficit during the year			2,52,010 15 6

28. College of Engg. and Technology Revenue Account—(Contd.)

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
<i>To Maintenance of machines :</i>					
Survey Instruments	499	6 3			
Elec. Machine Power	510	12 0			
Elec. Machine Communication	297	8 0			
Mechanical	288	13 3			
Laboratory	127	1 0			
Workshop Machine	82	9 0			
Testing Lab.	148	8 0			
Workshop Vehicle	427	15 0	2,383	11 3	
<i>To Printing Charges :</i>					
Office	721	12 6			
Elec. Lab.	18	8 6			
Civil Engg.	23	4 0			
Workshop	4	12 0			
Mech. Lab.	12	13 0	791	2 0	
<i>To Telephone Charges :</i>					
Office	38	0 0			
Elec. Engineering Department	40	0 0	88	0 0	
Liveries and overalls—Electrical			49	15 3	
<i>To Consumable Material :</i>					
Workshop	13,337	15 9			
Elec. Lab.	3,635	4 3			
Civil Engineering	139	1 9			
Hydraulic Lab.	841	2 3			
Heat Engine Lab.	905	5 9	18,358	13 9	
<i>To Instructional Tours :</i>					
Elec. Engineering	957	1 0			
Mech. Engineering	900	0 0			
Civil	2,769	5 0			
Survey Camp	1,814	4 0	6,440	10 0	

(28) College of Engg. and Technology Revenue Account—(Contd.)

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	
To Power and Electricity			4,408	9 6	
To Water Charges Office			524	5 0	
To First aid Machines Workshop			139	11 0	
To Special Lecture Courses Civil Engg.			100	0 0	
<i>To General Expenses :</i>					
Repairs of furniture Office	102	8 0			
Hot and cold weather charges	15	13 0			
Construction of Latrine and Urinals	3,813	8 0			
Workshop Licence Renewal	250	0 0			
Additional Examination	4,505	12 0			
Tube-well overhead lines	2,962	8 0			
Furniture and Equipment Library	2,650	0 0	14,300	1 0	
Contribution to Medical Department			125	0 0	
<i>To Depreciation on machine :</i>					
Elect. Engineering	2,000	0 0			
Mech. Engineering	1,000	0 0			
Civil Engineering	1,000	0 0			
Workshop	5,000	0 0	19,000	0 0	
To Expenses on Project work Mech. Deptt.			603	10 5	
<i>To Periodicals :</i>					
Elect. Engineering	859	10 9			
Mech. Engineering	384	12 6			
Civil Engineering	159	3 9	1,403	11 0	
TOTAL			3,38,008	11 9	
			Carried over		3,38,008 11 9

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

For the year ended 31st March, 1955.

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(30) Telephone Department Revenue Account

For the year ended 31st March, 1955.

EXPENDITURE				INCOME			
	Rs.	a.	p.		Rs.	a.	p.
To Salaries (Technical and Vocational)	..			By Rent of Telephone	758	0	0
To Dearness Allowances	..			By Rent of Loudspeaker	70	0	0
							828 0 0
To General Expenses :—							828 0 0
Repair and Replacement	509	12	0				
Tools and Accessories	497	8	0				
Contingencies	141	6	6	Net Deficit during the year			4,167 11 0
To Depreciation Phones	..						
			462 6 6				
TOTAL			4,995 11 0	TOTAL			4,995 11 0

(Sd.) OBAIDUR RAHMAN KHAN,

Hony. Treasurer,

Muslim University, Aligarh.

(31) Tibbiya College Revenue Account.

For the year ended on 31st March, 1955

EXPENDITURE				INCOME			
	Rs.	a.	p.	Rs.	a.	p.	
<i>To Salaries :—</i>							
Teaching Staff	53,747	14	0	By U. P. Government Grant (Recurring)			30,000 0 0
Ministerial Staff	3,735	12	6	By U. P. Government Non-recurring .			2,000 0 0
Tach. and Voc. Staff	10,329	8	0				
Subordinate Staff	7,366	14	0	<i>By Income from Fees and Fines :—</i>			
				Tuition Fee	1,622	9	0
<i>To Provident Fund Account</i>				Tuition Fee outstanding	4,152	8	0
<i>To Dearness Allowance</i>				Admission Fee	199	0	0
				Admission Fee outstanding	6	0	0
							5,980 0 0
<i>To General Expenses :—</i>				<i>By Income from :—</i>			
Printing	438	5	0	X-Ray Income	3,499	0	0
Stationery	291	3	6	Pathology Income	2,163	0	0
Contingencies	1,780	13	9	Income from Wards	115	0	0
Advertisement	266	8	0	Sale of Books	29	11	0
Repairs and Replacement of Furniture	148	12	0				5,806 11 0
Travelling Allowances	509	7	0	Miscellaneous Income	261	10	0
Waterworks Charges	637	4	0	Miscellaneous Income outstanding .	2	0	0
Up-keep of Gardens	367	7	0	Medicines at Concession rates	1,984	2	0
Rent of Society Building	660	0	0				2,247 12 0
Rent of Land (Municipality)	321	8	0	Additional Government Grant			5,000 0 0
Liveries for Nurses	183	12	6	By Surgical Indoor Department (Cro-			
Telephone Charges	40	0	0	ckery)			249 4 6
Purchase of Text Books	69	4	0				
Scholarships	2,516	0	0				51,283 11 6
Elec. Current Charges	943	10	9				
				Net deficit during the year			1,05,401 2 9
<i>To Anatomy Department :—</i>							
Equipment	200	0	0				
Chemical	150	0	0				
Apparatus Accessories	177	6	0				
<i>To Pathology Department :—</i>							
Equipment	331	2	0				
Share from Income	686	0	0				

(31) Tibbiya College Revenue Account—(contd.)

EXPENDITURE				INCOME			
	Rs.	a.	p.	Rs.	a.	p.	Rs. a. p.
<i>To Physiology Department :—</i>							
Instruments and accessories							
<i>To X-Ray Department :—</i>							
X-Ray Films	1,346	12	6				
Equipment and Chemicals	311	2	0				
Repair of X-Ray Machine	134	4	0				
Depreciation on X-Ray Machine	500	0	0	2,292	2	6	
<i>To Surgical Indoor Department :—</i>							
Medicine and Dressing	2,360	1	6				
Surgical Instruments	646	8	0				
Surgical Equipments	203	9	0				
Aprons	44	0	0				
Diet for Patients	2,019	14	9				
Dress for Patients	97	8	0				
Accessories for maintaining Patients	265	0	6				
Crockery	199	2	6				
Repairs for Beds etc.	99	12	0				
Electric Current Charges	462	15	0	6,368	7	3	
<i>To Medical Indoor Department :—</i>							
Diet for Patients	1,573	0	0				
Dress for Patients	59	3	6				
Accessories for maintaining patients	794	14	9				
Aprons	23	3	6				
Repairs and Renewal of Beds	100	0	0				
Crockery	188	9	0				
Purchase of Medicines	1,972	4	0	4,711	3	3	
<i>To Unani Dispensary :—</i>							
Purchase of Medicines	8,892	12	6				
Repairs and Polish of Furniture	30	0	0				
Contingencies	348	2	3	9,270	14	9	
<i>To Library :—</i>							
Purchase of Books	376	8	0				
Journals and Newspapers	158	12	0				
Binding of books	140	4	0				
Cataloguing	199	3	0	374	11	0	

To Research Department .—

Chemicals	872	13	0	
Mechanical and Glass Apparatus	798	4	3	
Contingencies	100	0	0	1,771 1

To Science Department —

Chemicals	888	9	9	
Publications	555	5	6	1,443 15 3

To Equipments for surgical ward

1,662 12 0

To Herbarium —

Botanical Garden	430	11	9	
Museum (Medicine)	196	9	9	
Furniture for Department	1,449	9	9	2,076 15 3

Contribution to Boarding House

3,000 0 0

Contribution to Conservancy

500 0 0

Fans for Hospital and main Building

1,498 4 0

Hot air over dissecting microscope

2,699 8 0

Signodoscope kelley Elec glazed

250 0 0

Purchase of Microscope apparatus and chemical

2,874 1 9

TOTAL

1,56,684 14 3

TOTAL

1,56,684 14 3

(Sd) OBAIDUR RAHMAN KHAN,

Hony Treasurer,

Muslim University, Aligarh

(32) M. U. High School Revenue Account.

For the year ended on 31st March, 1955

EXPENDITURE				INCOME							
	Rs	a	p	Rs	a	p		Rs	a	p	
<i>To Salaries .—</i>							By U P Government Grant				19,344 0 0
Teaching Staff	39,801	12	0				By Income from Fees				
Administrative Staff	1,361	4	0								
Technical and Vocational Staff	504	0	0				Tuition Fee	7,021	5	8	
Ministerial Staff	2,674	13	0				Enhanced Tuition Fee	739	8	6	
Subordinate Staff	2,870	13	0	47,212	10	0	Supervision Fee	349	7	0	
To Provident Fund				1,866	12	0	Class Fines	580	12	0	8,691 1 2
To Dearness Allowance				17 129	12	0					
											6 0 0
<i>To General Expenses —</i>							By Nature Study				
Office contingencies	615	7	3								28,041 1 2
Commerce contingencies	12	0	0				Net Deficit during the year				44,739 4 10
Wood for Woodcraft	48	7	0								
Stationery and Books for Teachers	92	14	9								
Telephone Rent	40	0	0								
Repair and Replacement of Apparatus	23	8	0								
Up-keep of Science Laboratory	88	1	6								
Hot and Cold Weather Expenses	56	13	0								
Laveries for Peons	85	8	9								
Library	337	10	0								
Nature Study	4	5	0								
Boy Scouts	148	11	6								
Scholarships	130	0	0								
Prizes and Medals	99	12	3								
Pankha Charges	341	1	0								
Maintenance of Gardens	320	7	3								
Elec. Motor Pump	2,513	14	3								
Ceiling Fans	840	4	6								
Binding charges for Library	300	0	0								
Cycle for office	171	6	0								
Education material	300	0	0	6,571	4	0					
TOTAL				72,780	6	0	TOTAL				72,780 6 0

(Sd) OBAIDUR RAHMAN KHAN,
Hony Treasurer,
 Muslim University, Aligarh.

(33) Muslim University City High School Revenue Account.

For the year ending on 31st March, 1955.

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	
To Salaries :—					
Teaching Staff	30,212	15 0			By U.P. Government Grant (Recurring)
Ministerial Staff	1,977	0 0			14,834 0 0
Subordinate Staff	2,539	15 0	34,729	14 0	By Fees :—
To Provident Fund			1,208	5 0	Tuition Fee
To Dearness Allowance			14,169	9 0	15,976 13 0
					Admission Fee
To General Expenses :—					467 12 0
Contingency	389	5 0			Transfer Certificate Fee
Rent (School Ground)					86 0 0
Petty Repairs, Additiona and Alterations	963	0 0			Fines
Furniture	1,536	11 0			448 3 0
Reorganization of Secondary Higher Education	30	14 6			Enhanced Tuition Fee
Up-keep of Science	800	0 0			5,450 11 0
Up-keep of Nature Study	220	4 0			Miscellaneous Income
Up-keep of Agriculture	56	9 6			82 0 0
Library Books	934	4 6			
Hot and Cold Weather Expenses	39	2 0			
Up-keep of Geography	218	6 0			
Up-keep of History	163	10 3			
Books and Stationery for Teachers	317	9 9			
Gardens	634	6 6			
Up-keep of Arts	72	10 6			
Prizes and Medals	200	0 0			
Leather Work and Tailoring	8	15 6			
Purchase of Oil Engine and Boring of well	1,448	4 0	8,034	1 0	
TOTAL			58,141	13 0	TOTAL
					58,141 13 0

(Sd.)—OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

Net Deficit during the year

20,796 6 0

(34) M. U. Branch City High School Revenue Account

For the year ended on 31st March, 1955

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
<i>To Salaries :—</i>			<i>By Income from :—</i>		
Teaching Staff	2,261	6 0	Tuition Fee	717	9 0
Subordinate Staff	356	1 0	Other Fee	151	12 6
To Dearness Allowance			Enhanced Tuition Fees	258	12 0
To Provident Fund			By Miscellaneous	2	11 0
<i>To General Expenses :—</i>			By net deficit during the year		4,403 0 6
Contingency	50	0 0			
Furniture	300	0 0			
Books and Stationery	100	0 0			
Basic	100	0 0			
Library	60	0 0			
Other Charges (Teaching aids)	200	0 0			
TOTAL			TOTAL		
		5,533 13 0			5,533 13 0

(Sd.)—OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(35) Women's College Revenue Account

For the year ended on 31st March, 1955.

EXPENDITURE				INCOME			
To	Rs.	a.	p.	Rs.	a.	p.	Rs. a. p.
<i>To Salaries :—</i>							
Teaching Staff	85,843	7	0	By U.P. Government Grant			20,500 0 0
Administrative Staff	2,120	11	0	By Tuition Fee	28,984	4 0	
Ministerial Staff	5,132	12	0	By Enhanced Tuition Fee	228	8 0	
Technical and Vocational Staff	3,990	0	0	By Admission Fee	1,35	8 0	
Subordinate Staff	4,205	6	0	By Transfer Certificate Fee	16	0 0	
				By Library Fee	371	2 0	
To Provident Fund				By Late Payment Fine	133	13 0	30,168 11 0
To Dearness Allowance							
				By U.P. Govt. Grant for Hotels			2,000 0 0
<i>To General Expenses :—</i>							
Contingencies	1,159	12	3				53,368 11 0
Library Books	5,671	13	3	Net deficit during the year			98,552 15 0
Up-keep of Science	4,081	13	0				
Science Equipment	3,352	9	3				
Domestic Science Lab. Expenses	555	8	0				
Printing and Advertisement	411	2	0				
Up-keep of Garden	495	7	0				
Petty repairs of Building and roads	816	7	6				
Repairs of furniture	652	9	9				
Telephone Rent and Extension charges	352	0	0				
Hot and Cold Weather	336	8	0				
Liveries for peons	25	6	9				
College Day Celebration	248	12	0				
Up-keep of Cycles	37	8	0				
Miscellaneous	168	6	0				
Botanical Garden	25	8	0				
Domestic Science Lab. Equipments.	2,575	13	3				
Art and Craft	399	4	0				
TOTAL				TOTAL			
	1,51,921	10	0		1,51,921	10	0

(Sd).—OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(36) M. U. Girls High School Revenue Account.

For the year ended on 31st March, 1955.

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
<i>To Salaries :—</i>			<i>Investments :—</i>		
Teaching Staff	21,256	9 0	By U.P. Government Grant		16,362 0 0
Ministerial Staff	1,210	5 0			
Subordinate Staff	1,120	5 0	By Tuition Fee	13,513	15 0
<i>To Provident Fund</i>			By Enhanced Tuition Fee	1,827	12 0
To Dearness Allowance			By Re-admission Fee	29	0 0
<i>To General Expenses :—</i>			By Library Fee	83	11 0
Contingencies	800	0 0	By Science Fee	231	8 0
Library Books	255	9 9			
Up-keep of Science	148	14 6	By Pankha fee	236	14 0
Books and Stationery	99	15 0			
Up-keep of Garden	140	11 0	By transfer Certificate fee	52	0 0
Repair and Replacement of Furniture	561	9 9			
Petty Repairs of Building	519	7 0	By Late Payment Fine	209	12 0
Hot & Cold Weather Expenses	282	11 0			
Conveyance Allowance	465	0 0	By Conveyance Fee	474	0 0
Liveries for peon	75	0 0			
Prizes	92	12 0	By Room Rent	2,641	14 0
Equipment for History and Geography	124	0 6			
Miscellaneous	49	6 0	By Miscellaneous	18	0 0
Special increment to teachers (from U.P. Government Grant)	960	0 0	By U. P. Government Grant for Increment to Mrs. A. Sayeed		19,318 6 0
Ceiling Fans	407	0 0			240 0 0
			By Deficit during the year		35,920 6 0
					3,386 11 6
TOTAL			TOTAL		39,307 1 6
		39,307 1 6			

(Sd.)—OBAIDUR RAHMAN KHAN
Hony. Treasurer,
Muslim University, Aligarh

for the year ended 31st March, 1955

(Sd.)—OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(38) Addition and Alteration Receipt and Payment Statement

As at 31st March, 1955

EXPENDITURE			INCOME		
	Rs.	a. p.		Rs.	a. p.
To Salaries			By credit for material transferred	4,265	4 0
Payments against old Claims	13,845	10 0	By Miscellaneous	735	6 0
Miscellaneous Expenditure	158	6 0			
			Net deficit during the year		15,158 5 3
TOTAL	20,158	15 3	TOTAL	20,158	15 3

(Sd.)—OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh

(39) Blind School Revenue Account (M. U. Deposit Account)

For the year ended 31st March, 1955.

EXPENDITURE		INCOME	
	Rs. a. p.		Rs. a. p.
To Salaries	208 0 0	By Donation	226 0 0
To Feeding Charges	128 1 0	By Rent of Building	52 4 0
To Miscellaneous	10 8 0	By proceeds of Handicraft works	25 0 0
		By Excess of Expenditure over Income	43 5 0
TOTAL	346 9 0	TOTAL	346 9 0

(Sd.)—OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(40) Electricity Department Revenue Account (M.U. Deposit Account)

For the year ended 31st March, 1955

EXPENDITURE		INCOME	
	Rs. a. p.		Rs. a. p.
To Govt. Charges and Royalty .	10,670 0 0	By Club and Societies etc.	2,455 13 0
To Contingencies	2 10 0	By M.U. School and its Hostels	478 15 6
To Staff Quarters	7,401 14 0	By M.U. School and its Boarding	110 0 0
To Salary Payable	1,063 0 0	By University Halls	5,277 6 0
		By Reserve Depreciation Aftab Hall	30 11 0
		By Reserve Depreciation S.S. E. Hall	90 4 0
		By maintenance Expenses	245 11 0
		By Advance against Salaries	40 0 0
			<hr/>
			8,728 12 9
		Net Deficit during the year	10,408 11 3
			<hr/>
TOTAL	19,137 8 0	TOTAL	19,137 8 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(41) Medical College Revenue Account

For the year ended on 31st March, 1955

EXPENDITURE				INCOME			
	Rs.	a.	p.	Rs.	a.	p.	Rs. a p.
(A) General				Income from Interest of Securities			1 19,003 4 0
To Salaries	1,102	5	0				
To Dearness Allowance	557	14	0				
To Contingencies	98	8	0				
To Stationery and printing	222	15	0				
To Labour on daily wages	47	4	0				
To Rent of House and Stores	2,584	0	0				
To Liveries	50	0	0				
To Exchange and Commission	24	4	0				
To Contribution for Account Keeping	2,000	0	0				
To Contribution to Medical Deptt. for expenses of organising Secy.	4,911	0	0				
				11,598	2	0	
(B) Institute of Ophthalmology							
To Salaries :							
Teaching Staff	9,091	5	0				
Ministerial Staff	1,200	0	0				
Technical Staff	1,432	8	0				
Subordinate Staff	494	0	0				
Dearness Allowance	2,179	14	0	14,397	11	0	
Board, Uniform, quarter and Electricity Allowance	735	12	9				
Running Expenses	2,167	1	9				
Contingencies	2,555	10	2				
Extra lectures by outsiders	375	0	0				
Non-Practising Allowance to Pathologist	1,584	10	9				
Hostel Rent	1,900	0	0				
Hostel Establishment	1,072	8	0				
Equipment for two special wards	4,997	5	0	15,388	1	0	

(41) Medical College Revenue Account—(contd.)

EXPENDITURE			INCOME		
	Rs.	a p.	Rs.	a p.	Rs. a p. Rs. a p.
<i>Non-Recurring</i>					
Equipment for Path. and Bact					
Lab	16,161	12 0			
Special Equipment for Ophthalmic					
Section	8,741	15 0			
Furniture	7,409	5 0			
Purchase of Books	3,915	8 0			
Equipment for Museum	4,000	0 0	40,228	8 0	
			81,612	6 0	
Net Surplus during the year			37,460	14 0	
TOTAL			1,19,073	4 0	TOTAL 1,19,073 4 0

(Sd.) OBATDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(42) Tibbiya College B. H. Account

Revenue Account as on 31st March, 1955

EXPENDITURE				INCOME			
	Rs	a.	p.	Rs.	a.	p.	Rs. a p.
<i>To Revenue Account .—</i>				<i>By Revenue Account .—</i>			
Boarding House General Requir- sites			204 10 0	B. H. Admission Fee			130 0 0
Contingency Accounts			27 0 0	B. H. Establishment Fee			4,636 0 0
Servants Pay			3,720 15 6	B. H. Rent Fee			2,019 12 0
Miscellaneous Payments			451 9 6	Hall Fines			39 0 0
Bank Commission			2 0 0	Late Payment fines			83 0 0
Hall Surplus			5,501 9 0	Contribution by fund account			3,000 0 0
TOTAL			9,907 12 0	TOTAL			9,907 12 0

(Sd.) OBADUR RAHMANKHAN,
Hony. Treasurer,
Muslim University Aligarh.

(43) Tibbiya College Boarding House Account

General Balance Sheet as at 31st March, 1955

EXPENDITURE				INCOME									
	Rs.	a.	p.	Rs.	a.	p.		Rs.	a.	p.	Rs.	a.	p.
Deposits				2,522	0	0	Students Current Account				18,042	13	9
Hall Surplus as per last Balance Sheet	22,074	2	3				Scholarship Account	5,161	8	0			
Add for the year	5,501	9	0	27,675	11	3	Mahet's Account	663	12	0			
							Central Office Account	21,718	2	0			
Tuition Fee	14,540	13	0				P. Cash Account	869	12	6			
T. C. Admission Fee	805	2	0				Advance Account	1,433	15	0	29,847	1	6
Fine	748	8	0				Examination Fee				115	9	3
Proctorial Fines	36	8	0				Fixed Deposits				8,000	0	0
Reserve Fund	3,908	7	0				National Savings Certificates				3,000	0	0
Cost of breakage	27	1	0				Cash Book Balance as at 31st March, 1955				2,519	15	3
Union Club	1,851	8	3										
Enrolment Fee	437	0	0										
Surgical Instruments	5	13	0										
Breakage of P. Studio	25	5	0										
Uniform Account	8	6	0	22,394	7	3							
Games Fee	1,847	5	6										
Tibbiya College Society	372	4	0										
Electric Light	2,739	12	6										
T. C. Magazine													
Food Fund	2,299	13	0										
Hall Amenities	1,139	8	0										
Tibbiya Magazine	145	2	3										
Food Reserve Fund	489	8	0	9,033	5	3							
TOTAL				61,525	7	9	TOTAL				61,525	7	9

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(44) M. U. Boarding House Account
General Balance Sheet as on 31st March, 1955

LIABILITIES			ASSETS		
	Rs.	a. p.		Rs.	a. p.
Annual Fee			Advance Account		
Slaughter House Fee			Exchange and Commission		
Excess Cash Account			Outstanding Account		
Cost of Tender			Sir Suleman Hall Account		
Duty Loan			V. C's Fund Account		
Enrolment Fee			V. M. Hall Account		
Geography Books Deposits			Literary Society		
Kashmir Govt. Scholarship			M. U. Students Union Account		
Lytton Library Admission Fee			Urdu Magazine		
Liabilities			Students Revenue Account		
M. M. Non-Collegiate Hall Account			Cash at Bank		
Muslim University Account					
Mr. Saeed Ali's Account					
N. R. S. C. Account					
Purchase of B. T. Books Deposits					
Practical Examination Fee					
Reserve Fund Account					
Suspense Account					
Security Deposits Account					
Shop-keepers License Fee					
Scouts Camp Account					
Prime Minister's National Relief Fund					
Vendor's License					
Vendor's Deposits Accounts					
Students Deposits Account					
Security 3% conversion loan 1946					
Liveries Accounts					
Scholarships Account					
Arabic Society					
Binnor Club					
Botanical Society					
Chemical Society					
Commerce Society					
Hindi and Sanskrit Society					
Clubs and Societies Estt. Account					
Dramatic Society					
English Magazine					

(44) M. U. Boarding House Account—(contd.)

LIABILITIES			ASSETS		
	Rs.	a. p.		Rs.	a. p.
Economics Society				687	9 9
English Society				525	6 7
Education Society				621	11 7
Engineering Degree Society				345	8 6
Engineering Tour Account				457	2 3
Engineering Magazine				930	5 9
Electric Charges (D.O.M.S.)				379	10 3
Establishment Fee Account (D.O.M.S.)				343	8 0
French and German Society				2,310	2 10
Geological Society				300	0 0
Geographical Society				1,565	12 0
Riding School Reserve Fund				75	0 0
Games Account				7,547	1 7
Games Reserve Fund				1,498	0 0
Gymnasium Club				1,828	5 8
Historical Society				1,667	6 2
Hostel Rent (D.O.M.S.)				1,780	15 0
Instructional Tour for Polytechnic				1,761	14 0
Law Society				77	3 5
Lity. Society Reserve Fund				767	2 1
Mathematical Society				489	9 2
M.U.S. Union Reserve Fund				3,245	6 2
Persian Society				472	2 2
Physical Society				1,247	5 4
Philosophical Society				80	15 2
Polytechnic Society				721	11 3
Polytechnic Journal Account				1,974	13 6
Terminal Examination Tibbiya				128	0 0
Tibbiya Society				24	7 0
Political Science Society				753	0 0
Tibbiya Magazine				469	4 0
Urdu Society				538	6 3
U.O.T.C. Account (N.C.C.)				1,114	0 0
Zoological Society				2,191	15 9
M.U. Fund Account				2,21,379	15 9
Clubs and Society				21,198	10 9
TOTAL				4,41,953	7 2
TOTAL				4,41,053	7 2

(Sd.) OBAMUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(45) Muslim University City High School Revenue Account

For the year ending on 31st March, 1955

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	
<i>To Revenue :</i>			<i>By Revenue :</i>		
Contribution to Conservancy			B. H. Admission Fee	217	0 3
Servants' pay including internal	1,436	0 0	B. H. Establishment	5,667	13 5
Dearness Allowance	2,880	0 0	Dhobi Charges	344	1 8
B. H. General Requisites	3,600	0 0	Scouts' account	0	0 9
	95	1 0	Dhora Village fine	113	14 0
			Identity Card Account	9	1 6
			Contribution to R. Fund	497	0 0
			Badges	113	4 0
			Net Deficit carried over to the		
			Balance Sheet for the year	1,048	13 5
TOTAL	8,011	1 0	TOTAL	8,011	1 0

(Sd.) OBAJDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh

(46) M. U. School Boarding House Account

General Balance Sheet as on 31st March, 1955

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a.	p.
Tuition Fee	14,447	2 2			
Enhanced Tuition Fee	1,637	14 10			
Supervision Fee	1,537	6 9	Students Current Account		1,142 10 5
Medical Fee	1,173	3 4	Revenue Account		
Contribution to Conservancy	1,436	0 0	As per last Balance sheet	7,354	13 11
Rent Fee	2,797	10 0	Net deficit for the year	1,048	13 5
Other Fines	32	7 9			
Swimming Bath	595	2 6	Students Dead Account		593 9 3
Proctorial Fine	57	0 0	Food Fund Deficit (1947-48)	2,018	13 11
Boarding House Reserve Fund	3,822	4 4	Exchange and Commission	59	6 3
T. C. Fee	2	0 0	Cash Book Balance as at 31-3-1955		2,058 4 2
					7,775 3 3
Students Deposit Account					
School Reserve Fund			3,372	10 11	
Food and Kitchen Estt. Fee	1,492	9 2	6,550	6 1	
Commerce Fee	195	8 0			
Glass Panes	347	6 6			
Science Fee	2,792	10 10			
Furniture Fee	281	14 6			
Cinema Fee	2,226	5 3			
Examination Fee	728	10 7			
Ink Fee	2,576	4 6			
Post Card Account	1,248	6 2			
Refreshment Fee	2,333	2 3			
Library and Magazine	919	15 9			
Games Fee	158	3 9			
Athletic Sports	751	7 6			
Zaboor Ward	631	3 0			
Common Room Fee	100	9 0			

(46) M.U. School Boarding House Account—(Contd.)

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a. p.	Rs. a p.
Pankha Fee	1,330	14 7			
Arts and Crafts Fee	535	6 0			
Tennis Fee	119	8 6			
Electric Light Charges	337	9 2			
Deposit Account	18,578	8 0			
Class Fines	1,073	7 9	38,759	11 0	
English House Account			13,752	6 4	
TOTAL			89,973	6 5	89,973 6 5

(Sd). OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

47¹ Non-resident students centre Revenue Account

For the year ended 31st March, 1955.

EXPENDITURE		INCOME	
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
<i>To Revenue Account</i>		<i>By Revenue Account</i>	
Joint Staff Salary	1,142 5 6	Pay joint Staff (last year share paid in excess refunded this year)	376 13 4
Contingency	1,121 10 2	Hall Admission Fee	4,345 0 0
Purchase of New Typewriter	392 14 3	Hall Establishment Fee	14 285 0 0
Salaries including D.A.	7,825 15 0	Re-Admission Fee	3,265 0 0
Hall surplus Account	12,747 0 2	Late Payment Fines	958 0 0
TOTAL	23,229 13 4	TOTAL	23,229 13 4

(Sd.) OBAIDUR RAHMAN KHAN,
Hon'y. Treasurer,
 Muslim University, Aligarh.

(48) Non-resident Students Centre

General Balance Sheet as on 31st March, 1955.

LIABILITIES				ASSETS						
	Rs.	a.	p.	Rs.	a.	p.		Rs.	a.	p.
Deposits and Caution Money .				95,637	0	0	Students Current Account .	63,870	1	9
Hall Surplus as per last Balance Sheet .	42,078	0	9				Outstanding Account .	135	14	0
Add Surplus for the year .	12,747	0	2	54,825	0	11	Students Deposit Account .	17,202	2	3
Increased Tuition Fee .	0	1	0				Bank Chages and Commission .	11	14	0
Swimming Bath Fee .	6	11	0				Enrolment Fee .	980	13	0
Electric Accessories .	20	1	0				Medical Fee .	0	5	0
Liabilities A ccount .	7,547	9	6	7,574	6	6	University Games Fee .	0	0	2
B.H. Reserve Fund .				8,795	4	6	Cash with M.U.B.H. Account			
Hall Reserve Fund .	24,656	6	1				Hall Fund .	30,541	14	3
Hall Games .	5,390	9	11				Purchase of B.T. Books .	110	10	0
Identity Cards .	156	6	6				Salary Advance .	25	0	0
Cost of Badges .	7	13	0				Permanent advance to provost .	3,000	0	0
Hall Fines .	13	8	0				Fixed Deposits .	65,000	0	0
Petty Cash Account .	37	7	0				National Saving certificates .	18,000	0	0
Games Fee .	35	9	0				Hall Amenities .	348	8	6
Suspense Account .	5,025	0	0				Cash Book Balance as on 31-3-55	4,118	1	8
Students Dead Account .	48	8	0							
Contribution to joint staff salary payable .	1,142	5	2							
				36,513	8	8				
TOTAL .				2,03,345	4	7	TOTAL .			
								2,03,345	4	7

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(49) V.M. Hall

General Revenue Account as at 31st March 1955.

EXPENDITURE			INCOME		
	Rs.	a. p.		Rs.	a. p.
<i>To Hall Revenue Account :</i>			<i>By Hall Revenue Account :</i>		
Servant's Pay	18,573	6 6	Hall Admission Fee	1,800	0 0
Provost's Office Estt.	15,259	1 3	Hall Estt. Fee	22,793	0 0
Awards to Students	55	0 0	Hall Fines	360	2 0
Liveries Account	99	10 6	Late Payment Fines	996	8 0
Telephone Account	40	0 0	Rent Fee	5,768	13 0
B.H. Gl. Requisites	483	11 9	Sale of coupons of canteen	106	6 0
Provost Office Contingency	210	10 3			
Printing and Binding	489	4 0			
Conservancy Account	800	0 0			
Miscellaneous Payments	3,510	12 6			
Garden	493	10 3			
Bank Commission	55	0 0			
Hall Surplus	1,754	10 0			
TOTAL	31,824	13 0	TOTAL	31,824	13 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(50) V. M. HALL

General Balance Sheet as at 31st March, 1955.

LIABILITIES			ASSETS		
	Rs.	a. p.	Rs.	a. p.	
Students Deposit			65,761	1 0	Students Current Account
Hall Surplus Account as per last Balance Sheet	21,969	5 9			Students Dead Account
Add Surplus for the year	1,754	10 0	23,723	15 9	N.R.S.C. Account
					Lt. Col. Maqbul's Account
B. H. Reserve Fund			6,897	4 6	Outstanding Account
Contribution to Conservancy			1,200	0 0	S. Bath Account
University Admission Fee	1,139	9 3			Food fund after August, 1948
University Enrolment Fee	532	14 0			Cost of Badges
Library Admission Fee	77	1 6			Permanent advance to provost
Anti-Malaria Fee	964	6 9			Fixed Deposit
Proctorial Fine	30	11 0			Cash
Chemistry Breakage	405	3 6			
Business Training Fee	13	8 0			
Islamic Week	81	2 0			
Physics Contingency	23	0 0			
Class Fine	3	14 0			
Medical Check up	111	7 0			
Medical Examination Fee	223	13 0			
University Tuition Fee	3,240	0 8			
Medical Drug Account	44	9 0			
Medical Fee	3,972	6 6			
Physics Fund	1	15 0			
Increased T. Fee	721	15 0			
Terminal Examination Fee	372	7 6			
Enhanced Tuition Fee	826	9 0	12,786	8 11	
M.U. Boarding House Account			13,334	0 0	
Sir Suleman Hall Account			4,000	0 0	
Food Fund	9,440	0 3			

V. M. Hall (Contd.)

LIABILITIES				ASSETS			
		Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
Electric Light Account . . .		2,794	3 3				
Hall Games Fee . . .		1,045	1 11				
Hall Amenities . . .		529	3 10				
Rent of Furniture . . .		554	1 6				
Cost of Identity Cards . . .		367	14 0				
Glass Panes . . .		262	11 9				
Chick Account . . .		213	6 0				
Self Help . . .		6	0 0				
Hall Reserve Fund . . .		14,923	5 5	30,536	0 3		
TOTAL . . .				1,58,238	14 5	TOTAL . . .	1,58,238 14 5

(Sd.) OBaidur RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(51) Sir Suleman Hall

Revenue Account as at 31st March, 1955

EXPENDITURE			INCOME		
	Rs.	a. p.		Rs.	a. p.
<i>To Hall Revenue Account :</i>			<i>By Hall Revenue Account :</i>		
Boarding House Servant's Pay	22,636	0 0	Hall Admission Fee	1,700	0 0
Provost Office Contingency	6,660	10 0	Boarding House Establishment	32 439	12 0
B.H. General Requisites	479	1 6	Fee Hall Fines	192	0 0
Contribution to Conservancy	1,200	0 0	Late Payment Fines	223	15 0
Telephone	40	0 0	Maintenance of garden	90	0 0
Office Contingencies	207	7 6	Rent Account	12,322	3 0
Liveries	45	0 0	Terminal Examination Fee	1,614	12 0
Printing Charges	603	2 0	Miscellaneous payment	0	2 0
Joint Staff Salary	571	2 0			
Exchange and Bank Commission	7	14 0			
Miscellaneous payments	2,268	10 3			
Hall Surplus carried over to Balance Sheet	14,864	12 9			
TOTAL	49,582	12 0	TOTAL	49,582	12 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(52) Sir Suleman Hall

Balance Sheet as on 31st March, 1955

LIABILITIES			ASSETS		
	Rs.	a. p.		Rs.	a. p.
Students Deposits Account			Students Current Account	1,24,923	0 4
Liabilities Accounts			Food Fund (1947-48)	1,199	9 5
Hall Surplus as per last balance sheet	24,772	12 5	Outstanding Account	6,563	15 0
Add surplus for the year	14,864	12 9	Lt. Col. Maqbool's Account	10,000	0 0
Hall Reserve Fund			V.M. Hall Account	4,000	0 0
B.H. Reserve Fund			Petty Cash Account	58	14 0
Students Dead Account			Other Fines	51	0 0
Law Society	0	0 6	University Games Account	95	8 0
Promotion Examination Fee	5	12 3	Enrolment Fee	1	2 0
Cost of Breakage	100	13 0	Hall Amenities	548	5 6
M.U. Boarding House Account	28,084	4 0	Fixed Deposits	30,000	0 0
University T. Fee	1,630	12 0	National Saving Certificates	40,000	0 0
Increased Tuition Fee	2,261	12 0	Permanent Advance to Provost	3,000	0 0
Enhanced Tuition Fee	323	10 0	Hall Games	56	13 0
Engineering College T. Fee	10,255	3 0	Imprest	300	0 0
Lytton Library Adm. Fee	19	3 0	Student contribution	228	0 0
Proctorial Fines	10	9 0	Cash Balance on 31-3-1955	3,114	15 6
Medical Fee	769	0 0			
Anti-Malaria Fee	166	9 0			
Tour Expenses	1,862	6 3			
Physics Apparatus	1	14 6			
Hall Library Books	36	0 0			
Food Fund	3,746	8 6			
Engineering Society	130	0 0			
Costs of Badges	5	4 6			
Electric Light	4,477	3 9			
Glass Panes	1,656	10 5			

LIABILITIES				ASSETS			
		Rs. a. p.	Rs. a. p.			Rs. a. p.	Rs. a. p.
Electric Accessories	.	2,672	0 0				
Badminton	.	348	0 0				
Contribution from students	of						
Amin Hostel	.	255	0 0				
Purchase of B.T. Books	.	210	0 0				
Identity Cards	.	259	3 0				
			13,795 14 3				
TOTAL	.		2,24,141 2 9	TOTAL		2,24,141 2 9	

(Sd.) OBAIDUR RAHMAN KHAN,
Hon'y. Treasurer,
 Muslim University Aligarh.

(53) Sir Syed Hall

Revenue Account as at 31st March, 1955.

EXPENDITURE				INCOME			
	Rs.	a. p.	Rs.	a. p.		Rs.	a. p.
<i>To Hall Revenue Account :—</i>					<i>By Hall Revenue Account :—</i>		
Servants Pay			22,093	11 3	Admission Fee	2,185	0 0
Office Establishment			7,650	9 6	B.H. Establishment Fee	40,260	0 0
Water Supply			718	11 0	Hall Fines	896	12 0
B. H. General Requisites			829	1 3	Late Payment Fines	260	0 0
Office Contingencies			948	9 0	Rent	20,169	0 0
Printing and Binding			616	10 0	Hall Library Fines	82	3 3
Telephone Expenses			40	0 0	Advance	140	0 0
Conservancy Account			3,000	0 0	Islamic week	24	0 0
Joint Staff Contribution			571	3 2	Majlis Islamiat	133	7 0
Furniture Account			168	14 6	Cost of Badges	186	7 6
Office Cycle			300	0 0	Travelling Expenses	39	3 9
Garden and Play Ground			1,119	12 0	Locks Account	566	0 0
Rent			14,000	0 0	Miscellaneous Receipts and Income	2,950	15 6
Liveries			5	0 0			
Unforeseen Expenses			689	5 6			
Exchange and Commission			76	4 0			
Miscellaneous Payment			7,841	11 0			
Net Surplus carried over to Balance Sheet			7,187	10 10			
TOTAL			67,893	1 0	TOTAL		67,893 1 0

(Sd.) ORAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh,

(54) Sir Syed Hall
General Balance Sheet as at 31st March, 1955.

LIABILITIES				ASSETS									
	Rs.	a.	p.	Rs.	a.	p.		Rs.	a.	p.			
Students Deposits				64,593	7	0	Students Current Account			1,03,515	10	3	
Hall Surplus Account (as per Balance Sheet).	79,243	1	8				Students Dead Account			53,812	2	9	
Add Surplus for the year	7,187	10	10	86,430	12	6	Lt-Col. Maqbool's Account			15,000	0	0	
B. House Reserve Fund	16,108	9	9				Investments in G. P. Notes			1,860	0	0	
University Tuition Fee	6,887	1	6				Law Society	24	15	3			
Enhanced Tuition Fee	1,613	13	3				Advances to Staff	140	0	0			
Increased Tuition Fee	2,097	8	6				D. P. Cash	168	2	0			
Business Training Fee	77	4	0				Joint Staff	1,190	9	2			
Medical Fee (Old Balance)	958	4	0				Advance to Provost	3,000	0	0			
Medical Fee (1953-54)	123	4	0				Hall Amenities	175	12	3	4,699	6	8
Anti-Malaria Fee	204	3	6				Fixed Deposit			75,000	0	0	
Terminal Examination Fee (Science)	489	9	3				National Savings Certificates			30,000	0	0	
Lytton Library Books	30	11	0				Cash Book balance as on 31-3-1955			5,121	1	3	
Library Fines	34	2	0										
Replacement of Apparatus	21	2	0										
Geology Account	6	11	6										
Urdu Seminar	11	8	6	28,663	12	9							
Hall Reserve Fund				48,789	15	3							
Scholarship Account				2,446	12	0							
Dining Hall Reserve Fund				16,674	9	6							
Chick Account	507	8	3										
Railway Concession	316	10	9										
Electricity	8,511	12	1										
Hall Games Fee	2,922	8	5										
Kitchen Establishment	31,239	1	4										
Glass Panes	1,532	10	3										
Food Fund	6,378	12	10	51,408	15	11							
TOTAL				2,89,008	4	11	TOTAL			2,89,008	4	11	

(Sd.) ORAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(55) Aftab Hall

Revenue Account as on 31st March, 1955

EXPENDITURE			INCOME		
	Rs.	a. p.	Rs.	a. p.	Rs. a. p.
<i>To Hall Revenue Account :—</i>			<i>By Hall Revenue Account:—</i>		
Exchange and commission	28	4 0	Hall Admission Fee		1,660 0 0
Provost Office Estt.	4,968	0 0	Hall Estt. Fee		30,851 8 0
Provident fund Contribution	309	5 6	Hall Fines		25 0 0
B. House Establishment	7,108	15 6	Hall Late Payment Fines		200 0 0
Dearness Allowance	14,609	0 0	Rent of Mumtaz Hostel		3,529 8 0
Joint Staff Salary	571	1 8	Rent of M. Court		3,044 0 0
Contingency	894	10 9	Rent of Macdonal		2,712 0 0
B. H. Gl. Requisites	1,025	14 6	Cost of Badges		311 13 0
Printing and Binding	443	8 0	Identity Cards		68 12 6
Telephone Account	40	0 0	Excess Cash		10 0 0
Conservancy	3,000	0 0	Hockey Jubilee Week		247 4 0
Water Supply	1,809	11 8	Islamic Week		64 13 0
Unforeseen Expenses	2,304	0 3	Poor Students Fund		0 3 9
Room Rent	6,250	0 0	Net deficit C.O. to Balance Sheet		928 4 10
D.P. Cash	20	10 3			
V. C's Fund	0	1 0			
TOTAL	43,383	3 1	TOTAL		43,383 3 1

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(56) Aftab Hall

General Balance Sheet as on 31st March, 1955.

LIABILITIES				ASSETS			
	Rs.	a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	
<i>Caution Money and Deposits</i>			51,366 6 9				
Hall Surplus Account (as per last balance sheet)	28,200	7 10		Students Current Account		1,45,824	3 0
Less deficit for the year	928	4 10	27,272 3 0	Students Dead Account		26,285	13 2
<i>Boarding House Reserve Fund</i>				Advance to Provost		3,000	0 0
Lytton Library Books	107	9 0	38,368 9 10	Duty Loan		1,122	13 5
University Admission Fee	1,596	2 0		Law Society		3	13 0
Medical Fee	7,808	14 10		Welfare Relief Fund		20	0 0
Anti Malaria Fee	1,694	6 0		Advance to staff		78	15 9
Lytton Library Admission Fee	158	8 6		Deposit		30,000	0 0
University Enrolment Fee	643	5 0		National Saving Certificate		12,000	0 0
Terminal Examination Fee	368	9 6		Cash Book Balance as at 31-3-55		16,409	4 10
University Tuition Fee	5,687	9 2					
Enhanced Tuition Fee	4,883	6 6					
Increased of Tuition Fee	1,748	10 2					
Business Training Tuition Fee	130	11 0					
Chemistry Breakage	480	8 0					
Badminton Club	681	7 0					
Medical Examination Fee	318	13 0					
Medical Check up	169	8 0					
U. O. T. C. Account	89	8 0					
Other Fines	66	9 0					
Fines for Training College	4	13 0					
Class Fines	13	8 0					
University Magazine	246	6 1					
Literary Society	246	6 1					
Proctorial Fines	11	8 0					
University Games Fee	1,158	11 6					
University Union Club	328	9 0					
Physics Contingency	10	9 0					
Rent of Aftab Hall	6,727	7 0					
			29,316 14 10				
Food Fund	8,901	9 3					
Kitchen Establishment	33,393	3 0					

LIABILITIES				ASSETS							
	Rs.	a. p.		Rs.	a. p.		Rs.	a. p.		Rs.	a. p.
Hall Games	173	9	1								
Hall Amenities	1,874	8	5								
Glass Panes	1,289	6	6								
Hall Reserve Fund	10,777	13	3								
Chick Account	92	6	0								
Hall Library Fine	383	10	0								
Geography Deposit	449	0	0								
Sinking Fund	7,631	6	5								
B. Ed. Books	85	0	0								
Hire of Furniture	10	13	0								
Electricity Charges	17,498	15	10								
Aftab Hostel Rent	859	8	0								
Advance	4,000	0	0	87,420	12	9					
TOTAL			2,34,744	15	2	TOTAL			2,34,744	15	2

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
 Muslim University, Aligarh.

(57) Women's Hall

Revenue Account as on 31st March, 1955

EXPENDITURE				INCOME			
	Rs.	a. p.		Rs.	a. p.		Rs. a. p.
<i>To Hall Revenue Account :—</i>				<i>By Hall Revenue Account :—</i>			
Servants' Pay (Hostel) . . .			3,189 8 0	Hall Admission Fee . . .			1,160 0 0
Servants' Pay (Kitchen) . . .			2,099 10 6	B.H. Establishment . . .			5,939 12 0
Dearness Allowance . . .			5,354 10 3	Kitchen Establishment . . .			5,508 12 0
B. H. General Requisites . . .			1,248 6 9	Miscellaneous . . .			62 8 0
Contingencies . . .			186 10 6	Late Payment Fine . . .			397 6 0
Printing Charges . . .			300 0 0				
Up-keep of garden . . .			69 0 0				
Conservancy tax . . .			96 0 0				
Miscellaneous expenses . . .			2 0 0				
Net surplus Carried over to Balance Sheet . . .			522 8 0				
TOTAL . . .			13,068 6 0	TOTAL . . .			13,068 6 0

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

(58) Women's Hall
General Balance Sheet as at 31st March, 1955

LIABILITIES				ASSETS			
	Rs.	a. p.	Rs.	a. p.		Rs.	a. p.
Deposits (Caution money)			4,294	8 0	Students Account	7,340	3 9
Deposits (B. Ed. Books)			382	12 0	Library Fee, Women's College	40	0 0
Deposits (L. Books)			1,490	0 0	Electricity	211	2 3
Deposits (Science)			1,525	0 0	Societies Account	5	15 9
Deposits (Cashier Security)			120	0 0	Cash Book Balance as at 31-3-1955	36,068	2 2
Hall Surplus			522	8 0			
Annual Examination Fee (School)			274	0 8			
Annual Examination Fee (College)			171	14 9			
Col. Haider Memorial Fund			1,005	8 0			
Breakage Ophthalmology			50	0 0			
Social Club			692	2 6			
Social Function			275	8 3			
Social Service League			616	11 3			
Social Service Club			465	7 9			
Students Welfare Fund			6,094	6 0			
Educational Society			726	6 0			
Geographical Society			813	11 6			
Historical Society			697	6 3			
Hindi Society			631	10 0			
Chemistry Breakage			30	0 0			
Magazine			626	0 0			
Arts and Craft			125	12 0			
Ink Fee School			249	1 0			
Music			30	5 0			
Reserve Fund			7,749	6 8			
Games College			1,926	4 9			
Games School			1,957	13 9			
Washing Charges			1,369	10 0			
Union Club (College)			968	15 0			
Bazme Adab			1,347	15 3			
Halqai Urdu and Persian			1,370	0 6			
Meelad Sharif Fund			660	8 6			
Scholarship Fund			345	0 0			
Food Fund			603	3 0			
Rent Furniture			811	8 0			

LIABILITIES				ASSETS			
	Rs.	a. p.	Rs.	a. p.		Rs.	a. p.
Poor Students' Fund College .			136	8 6			
Poor Students' Fund School .			215	11 0			
Scholarship School			8	0 0			
Old Girl Association Account .			571	4 6			
Suspense Account			812	15 0			
Jubilee Fund			864	0 0			
TOTAL .			43,629	7 11	TOTAL . . .		43,629 7 11

(Sd.) OBAIDUR RAHMAN KHAN,
Hony. Treasurer,
Muslim University, Aligarh.

[No. 10475/Ex.]

((Sd.) *Illegible*.
Asstt. Registrar.

MINISTRY OF COMMERCE AND INDUSTRY

Bombay, 2nd September 1959

S. O. 2044—In exercise of the powers conferred on me by Clause 34 of the Cotton Textiles (Control) Order, 1948, in supersession of the Textile Commissioner's Notification No. TC(11A) 54 dated 10th November 1954, and with the previous sanction of the Central Government I hereby authorise, each of the officers in the Office of the Textile Commissioner specified in column 3 of the table appended to this Notification to discharge on my behalf the functions and the powers of the Textile Commissioner under the clause or clauses of the said Order, or the Notifications issued under that Order, specified in the corresponding entry in column (2) of that table:—

TABLE

Serial Number	Clause or clauses of Notification	Designation of Officers
1	2	3
1.	12(1), (2) & (2-A)	Industrial Adviser (Textile Production), All Directors at Headquarters; Under Secretary (Co-ordination); Deputy Director (Power-looms).
2.	12 (3) to 12(10)	Industrial Adviser (Textile Production); All Directors at Headquarters; Under Secretary (Co-ordination); Deputy Director (Power-looms); Assistant Director (Power-looms) and Assistant Director (Control); Deputy Director (Mechanical Processing); and Assistant Director (Mechanical Processing).
3.	12A	Industrial Adviser (Textile Production); all Directors at headquarters and at Regional Offices; Under Secretary (Co-ordination); Deputy Director (Powerlooms) and Deputy Director in Regional Offices.
4.	13	Industrial Adviser (Textile Production); all Directors at headquarters; Assistant Director (Mechanical Processing).
5.	Textile Commissioner's Notification No. TCS. I/20 dated the 22nd September 1949.	Industrial Adviser (Textile Production) all Directors at headquarters; Under Secretary (Co-ordination); Deputy Director (Mechanical Processing); Deputy Director (Chemical Processing); Assistant Directors (Production & Development Branch).
6.	Textile Commissioner's Notification No. 9(9)-Tex. 1/49 dated the 15th April, 1950; and No. 9(9)CT(A)/54 dated the 26th August, 1954.	Industrial Adviser (Textile Production); all Directors at headquarters; Under Secretary (Co-ordination); Deputy Director (Mechanical Processing); and Assistant Director (Mechanical Processing).
7.	20C	Industrial Adviser (Textile Production); all Directors at Headquarters; and Under Secretary (Co-ordination).
8.	21	Industrial Adviser (Textile Production); all Directors and Deputy Directors at Headquarters and in the Regional Offices; Under Secretary (Co-ordination); Assistant Director (Control).
9.	22(b)	Industrial Adviser (Textile Production) all Directors at Headquarters; Under Secretary (Co-ordination); Assistant Director (Control).
10.	31	Industrial Adviser (Textile Production); all Directors at Headquarters and in the Regional Offices; all Deputy Directors at headquarters and in the Regional Offices; all Assistant Directors at Headquarters and in the Regional offices and Research Officers at headquarters.

D. S. JOSHI,
Textile Commissioner.

[No. TCS.I/2(88)59]

New Delhi, the 8th September 1959

S.O. 2045.—In exercise of the powers conferred on me by sub-clause (1) of Clause 3 of the Cotton Control Order, 1955, I hereby fix the maximum and minimum prices at which Indian cotton of the 1959-60 season may be sold or purchased as under:—

1. Subject to the other provisions hereinafter contained, the minimum and the maximum prices of cotton of the descriptions specified in columns (1) & (2) of Schedule 'A' annexed to this notification shall be as specified in columns (3) and (4) respectively of the said Schedule:

Provided that where cotton, which is the subject matter of a contract, is of a quality either inferior or superior to the basic quality referred to in columns (1) and (2) of the said Schedule, the minimum or the maximum price shall be decreased or increased, as the case may be, by an amount specified in columns (5) to (15) of the said Schedule:

Provided further that no such cotton shall be considered to be of a quality superior to the basic quality as aforesaid unless its superior staple and class have been certified by the East India Cotton Association Ltd., Bombay, and the maximum price of such cotton shall then be in accordance with the description, staple and class mentioned in such certificate:

Provided also that where in relation to any cotton, the buyer or the seller does not accept the certificate of the said Association, the decision of any three members of the Committee specified in Schedule 'B' relating to the description staple or class of the cotton shall be final, and the maximum price of such cotton shall be in accordance with such decision.

2. (1) the prices specified in Schedule 'A' are in Rupees per candy of 784 lbs. (355.616 Kg.) net for delivery in full pressed bales *ex-seller's* godown, Bombay, and include $\frac{1}{4}$ per cent brokerage payable by the seller to the buyer and the usual sample and stone allowance.

(2) The minimum and maximum prices for delivery at any place other than Bombay shall be the prices specified in Schedule 'A' less a sum equivalent to the railway freight from the place of origin to Bombay and Rs. 10 per candy plus the sum, if any, equivalent to the railway freight from the place of origin to the place of delivery to the buyer and Rs. 10 per candy.

(3) The maximum prices specified in paragraph 1 and sub-paragraphs (1) and (2) of paragraph 2 shall be increased, where the sale is directly to a manufacturer, by $1\frac{1}{2}$ per cent thereof, and where the sale is directly to an 'A' Class Licensee, by $\frac{3}{4}$ per cent thereof.

(4) The maximum and minimum prices specified in paragraph 1 and sub-paragraphs (1) and (2) of paragraph 2 shall be decreased by Rs. 25 per candy when the subject matter of the contract is ginned (that is, unpressed) cotton.

(5) Where cotton which is the subject matter of a contract is loose cotton obtained by opening a full pressed bale and does not exceed 30 lbs. in weight, the maximum prices specified in paragraph 1 and sub-paragraphs (1) and (2) of paragraph 2 shall be increased by $12\frac{1}{2}$ per cent thereof.

(6) The minimum prices fixed under this notification shall not apply to cotton which is inferior in class or staple to that for which 'off' allowances are specified in columns (5), (6), (10) and (11) of Schedule 'A' but it shall be open to any person or persons who are required to fix the exact value of any such cotton to fix a value which is less than the price specified for the lowest staple and class of cotton of the description.

(7) Nothing in this notification shall apply to a contract of sale for the purpose of export by any exporter with an Overseas buyer or his agent or by a grower or middlemen with any exporter or his agent.

A certificate from the Textile Commissioner to the effect that the contract entered into is for the purpose of export shall be conclusive evidence of that fact.

(8) Nothing in this Notification shall apply to—

(a) Sea-Island Andrews cotton, grown in the States of Assam, Kerala and Mysore if it is certified by the Committee specified in Schedule 'B' as having a staple length of above 14" and complies with the following conditions:—

(1) the seeds required for sowing such cotton in the above States have been duly approved and supplied by the officers of the Sea-Island Cotton Development Scheme, and

- (ii) the ginning and pressing of the crop of such cotton have been done under the supervision of the aforesaid officers and a certificate of purity issued by them for pressed bales.
- (b) Hybrid cotton grown in Bombay Gujarat, if it is certified by the Committee specified in Schedule 'B' as having a staple of above $1\frac{1}{8}$ " length and complies with the following conditions:—
 - (i) the seeds required for sowing such cotton have been duly approved and supplied by the State Department of Agriculture, and
 - (ii) the ginning and pressing of the crop of such cotton have been done under the supervision of the State Department of Agriculture and a certificate of purity issued by the Department for the pressed bales.

3. (a) "JARILIA" means cotton recognised as such and grown in the districts of Nasik, East Khandesh, West Khandesh (except Akkalkuwa and Nawapur talukas), Sholapur, Ahmednagar and Poona, Vidarbha and Marathwada regions of Bombay State, Madhya Pradesh, Bijapur district of Mysore State and Jhalawar district of Rajasthan and includes 'Verum', 'Madhya Pradesh Cambodia', 'Madhya Bharat Cambodia', 'Madhya Bharat Upland', 'Vinnar (197-3)', 'Goarani (Bani)', 'Maljari', 'Malvi', 'Bhoj', 'Pratap', 'Sanjay (CJ 73)' and 'Buri American' which does not conform to the definition in sub-para (w) of this paragraph.

(b) 'H-420' means cotton recognised as such and grown in the Akola, Amravati, Yeotmal, Buldana, Nagpur and Wardha districts of Bombay State, Nimar district of Madhya Pradesh and Kurnool and Anantapur districts of Andhra Pradesh and includes strain 91 (Shila), provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923).

(c) 'Vijay' means cotton recognised as such and grown in the Kaira, Baroda, Broach (Broach, Jambusar, Vagri and Amod Taluka), Sabarkantha, Ahmedabad (Daskroi, Dehgam, and City Talukas) and Panchmahal districts of Bombay State, Banswara district of Rajasthan and Ratlam district of Madhya Pradesh and include 'Dig Vijay', 'BD 8', 'B 9' and 'Dehgam 1027'.

(d) 'Surti' means cotton recognised as such and grown in the Surat, Broach (Ankleshwar, Hansot, Nandod, Jhagadia, Valla, Dediapada and Sagbara talukas) and West Khandesh (Nawapur and Akkalkuwa talukas) districts of Bombay State and includes 'Suyog', 'Vijalpa (2087)', 'Rajpipia' and 'Nawapur 1027'.

(e) 'Punjab American L.S.S.' means cotton recognised as such and grown in the States of Punjab, Uttar Pradesh and in the Ganganagar district of Rajasthan.

(f) Punjab-American 216F means cotton recognised as such and grown in the States of Punjab, Uttar Pradesh and Madras and includes Punjab American H.14, provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding Act.

(g) Punjab American 320F means cotton recognised as such and grown in the States of Punjab and Uttar Pradesh and in the Ganganagar district of Rajasthan State, provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding Act. It also includes Punjab American LL 54 which does not conform to the definition in sub-para (l) of this paragraph.

(h) 'Jayadhar' means cotton recognised as such and grown in the Dharwar, Belgum, Bijapur and Chitaldrug districts of Mysore State and North and South Satara and Kolhapur districts of Bombay State, provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding Act.

(i) 'Laxmi' means cottons recognised as such and grown in the Dharwar, Belgum, Bijapur, Raichur, Bellary and Chitaldrug districts of Mysore State and Kurnool, Anantapur and Cuddapah districts of Andhra Pradesh provided the areas in which the cotton is grown are protected under the Cotton Transport Act 1923 (3 of 1923) or any corresponding Act. It also includes M.A.5 which does not conform to the definition in sub-para (l) of this paragraph.

(j) 'Westerns' means cotton recognised as such and grown in the Bellary district of Mysore State and Kurnool (Adoni, Alur and Pattikonda talukas), Anantapur and Cuddapah districts of Andhra Pradesh and includes 'Hagari 1 (Western Farm)', 'Nandyal 14', 'White Northerns', 'Red Northerns', '1881-F' and 'Umri'.

(k) 'Cambodia' means cotton recognised as such and grown in the States of Madras, Andhra Pradesh (Cuddapah, Anantapur, Guntur and Chittoor districts) and Kerala (Palghat district) and includes 'Avanashi' and 'Cambodia Co. 2'. It also includes MCU 1 and 2, Indo-American 170-Co. 2 and 134-Co. 2-M which do not conform to the definition in sub-para (l) of this paragraph.

(l) 'MCU-1' known as Rajapalayam means cotton recognised as such and grown in the Madras State and includes 9030G. It also includes MCU-2 grown as a summer crop in the Ramanathapuram, Madurai and Tirunelveli districts of Madras State, Indo-American 170-Co. 2 grown in the Bombay State and the Bijapur and Belgaum districts of the Mysore State, Indo-American 134-Co. 2-M grown in the Gujarat region and Kutch district of the Bombay State, Dungarpur district of Rajasthan and Ratlam district of Madhya Pradesh, Punjab American LL 54 grown in the Ferozepore and Bhatinda districts of the Punjab and Ganganagar district of Rajasthan and Mysore American M.A. 5 grown in the Mysore, Mandya, Hassan, Chickmagalur and Shimoga districts of the Mysore State.

1. The prices specified for these varieties in Schedule 'A' would apply, if they are of staple length 1" and over and if they are (i) certified by the State Department of Agriculture or (ii) "Agmarked" under the Cotton Grading & Marking Rules, 1939 indicating the varietal purity or (iii) certified by the Committee mentioned in Schedule 'B' as having a specific staple length of 1" and above.

2. The prices specified against MCU-1 shall also apply to the varieties of the crop of the 1958-59 and earlier seasons if purchased or sold after the expiry of the 1958-59 cotton season provided they comply with the conditions specified in (a) above.

(m) 'Karunganni' means cotton recognised as such and grown in the Coimbatore, Tiruchirappalli, Mathurai, Ramanathapuram and Tirunelveli districts of Madras State and includes 'Karunganni K.2, K.5 and K.6 (Pandyani)', 'Tirunelvely' and 'Salems (Nadam, Bourbon and Uppam)'.

(n) 'Dholleras' means cotton recognised as such and grown in Rajkot Division of the Bombay State and includes 'Cutch', '1027', 'Kadi/Viramgam', 'Kadayo', 'Wagotar', 'Wagad' and 'Lalio'. It also includes 'Kalyan' which does not conform to the definition of the cotton contained in sub-paragraph (o) (ii) of this paragraph.

(o) 'Kalyan' means cotton recognised as such and grown—

(i) in the Ahmedabad [Dholka, Dhanduka, Sanand and Viramgam talukas] and Mehasana districts of the Bombay State, provided that the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923).

(ii) in the Rajkot division of the Bombay State, provided that the seed required for sowing has been duly approved and supplied by the State Department of Agriculture and the produce has been certified by that Department as being 'Kalyan'.

(p) 'Kalagin' means cotton recognised as such and grown in the Rajkot division of the Bombay State.

(q) 'Bengal Deshi' means cotton recognised as such and grown in the States of Punjab, Uttar Pradesh and Rajasthan.

(r) 'Oomra Deshi' means cotton recognised as such and grown in the Sholapur, Ahmednagar and Poona districts and Vidarbha and Marathwada regions of Bombay State, Adilabad district of Andhra Pradesh and Nimar, Hoshangabad and Chhindwara districts of Madhya Pradesh.

(s) 'Mathia' means cotton recognised as such and grown in the Rajkot division and Amreli district of Bombay State.

(t) 'Mungari' means cotton recognised as such and grown in the Bellary, Raichur and Gulbarga districts of Mysore State and in the Anantapur, Cuddapah and Kurnool (except Cumbum and Markapur talukas) districts of Andhra Pradesh.

(u) 'C.P.I. & C.P.II.' respectively means cotton recognised as such and grown in the Vidarbha region of Bombay State, Adilabad district of Andhra Pradesh and Nimar, Hoshangabad and Chhindwara districts of Madhya Pradesh.

(v) 'Central India cotton' means cotton recognised as such and grown in the Madhya Bharat region of Madhya Pradesh State.

(w) 'Buri American' means cotton recognised as such and grown in the Vidarbha region of Bombay State, Madhya Pradesh, Kotah (except Jhalwar district), Udaipur and Ajmer divisions of Rajasthan, and includes 'Buri 107', 'Buri 0394', 'C Indore 1', 'C Indore 2' and 'Udaipur American', provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding Act.

(x) 'Parbhani American' means cotton recognised as such and grown in Adilabad, Uttnoor and Boath talukas of Adilabad district of Andhra Pradesh and Kinwat Taluka and Islapur circle of Nanded district of Bombay State.

(y) 'Gaorani 6 & 12' means cotton recognised as such and grown in Nanded (except Rajura taluka and Islapur Circle), Osmanabad, Parbhani and Aurangabad districts of Bombay State, Gulbarga district of Mysore State and Medak (Zahiraabad and Narayankhed talukas), Nizamabad (Bichkonda and Jukkal Circles) and Adilabad (Madhol, Bhansa and Kuber Circles) districts of Andhra Pradesh, provided such areas are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding Act. It includes Daulat (2204), G. 22 and G. 46.

(z) 'Sea Island (Andrews)' means cotton recognised as such and grown in Kozhikode, Palghat, Trichur districts and other Coastal parts of Kerala State, Mangalore district and other Coastal parts including the Malnad area of the Mysore State and Assam.

It includes Hybrid cotton grown in Bombay Gujerat.

SCHEDULE 'A'

Description of cotton Season 1959-60.	Basic staple length inches	Basic mini- mum price Rs. per candy (355· 616 Kg.)	Basic maxi- mum price Rs. per candy (355· 616 Kg.)	“Off” & “On” Allowances for class other than Basic Class					“Off” Allowan- ces for staple Below Basic staple		“On” Allowances for staple above basic staple				
				Good	Fully Good	Fine	Super Fine	Extra Super fine	2'32"	1'32"	1'32"	2'32"	3'32"	4'32"	
1	2	3 Rs.	4 Rs.	5 Rs.	6 Rs.	7 Rs.	8 Rs.	9 Rs.	10 Rs.	11 Rs.	12 Rs.	13 Rs.	14 Rs.	15 Rs.	
Jarilla	25 32"	495	820	..	10	Basis	10	20	40	20	20	45	70	100	
Vijay	13/16"	585	945	..	10	"	10	15	40	20	25	50	80	..	
Surti	7 8"	655	1,020	..	10	"	10	15	50	25	20	45	70	100	
Punjab : Amer L.S.S. RGD.	13 16"	585	920	..	10	"	10	15	45	20	20	45	70	..	
Punjab Amer L. S. S. SGD	13/16"	615	955	..	10	"	10	15	45	20	20	45	70	..	
Punjab Amer 320FRGD.	27 32"	615	950	..	10	"	10	15	45	20	20	45	70	..	
Punjab Amer 320F SGD	27 32"	655	1,000	..	10	"	10	15	45	20	20	45	70	..	
Punjab Amer 216F RG.	7 8"	675	1,045	..	10	"	10	20	60	30	40	65	90	120	
Punjab Amer 216F SGD.	7 8"	720	1,095	..	10	"	10	20	60	30	40	65	90	120	
Western	13 16"	555	890	..	10	"	10	15	45	20	20	45	70	100	
Cambodia	7 8"	675	1,045	..	10	"	10	20	60	30	40	65	90	120	
Karungannu	13 16"	575	935	..	10	"	10	15	50	25	20	45	70	100	
Dholerah	3 4"	..	780	..	10	"	10	15	40	20	20	45	..	..
Kalagin	3 4"	..	780	..	10	"	10	15	40	20	20	45	..	..
Bengal Deshi . . . . .	..	..	645	40	Basis	25	45	65	..	..	..	..	..	..
Comra Deshi . . . . .	..	..	680	..	10	Basis	25	45	..	..	..	..	..	..
Mathia } . . . . .	..	..	680	..	10	"	25	45	..	..	..	..	..	..
Mungari } . . . . .	..	..	720	..	10	"	10	20	40	20	20	45	..	..
C. P. I. & II	5 8"	..	720	..	10	"	10	20	40	20	20	45	..	..
Central India	5 8"	..	695	..	10	"	10	20	40	20	20	45	..	..

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Buri American . . .	7/8"	625	940	..	10	Basis	10	15	50	25	20	45	70	100
Parbhani American . .	7/8"	625	940	..	10	"	10	15	50	25	20	45	..	..
Gaorani 6 and 12 . . .	7/8"	625	990	..	10	"	10	15	50	25	20	45	..	..
Kalyan	25/32"	510	870	..	10	"	10	15	40	20	20	45	..	..
Jayadhar	7/8"	625	995	..	10	"	10	15	40	20	20	45	70	..
Laxmi	7/8"	675	1,045	..	10	"	10	20	60	30	40	65	90	120
H-420	25/32"	545	870	..	10	"	10	20	40	20	20	45	70	100
MCU-1	1"	795	1,165	..	10	"	10	20	55	30	65	115	165	225

NOTE 1:—R. G. means Roller-ginned.

S. G. means Saw-ginned.

NOTE 2:—In the case of cotton specified below, if they are certified to have been grown in areas reserved by the Agricultural Department of the State concerned for the purpose of procuring pure seed for sowing and if the crop has been duly rogued by removing off type plants, the basic maximum prices specified in column (4) above shall be deemed to be increased by the amounts shown below, namely :—

		Rs. per candy over	
(i)	Jayadhar	50	Do. Jayadhar of column (1).
(ii)	Karunganni K. 2, K5 and K. 6 (Pandyan)	50	Do. Karunganni of col. (1).
(iii)	Gaorani 6 & 12 Daulat G 46	50	Do. 'Gaorani 6 and 12' of column (1)
(iv)	Jarilla	20	Do. Jarilla of column (1).
(v)	Buri 107		
(vi)	Malvi 9 & Maljari		
(vii)	Vinnar (197-3)		
(viii)	P/A 216 F.R.G., P/A. 14 R. G.	50	Do. P/A 216 F. R. G. of column (1).
(ix)	P/A L.S.S.R.G.	50	Do. P/AL.S.S.R.G. of column (1).
(x)	Parbhani American.	50	Do. Parbhani American of column(1)
(xi)	Buri 0394	50	Do. Buri American of column (1).
(xii)	Vijalpa (2087).	50	Do. Surti of column (1).
(xiii)	Laxmi	50	Do. Laxmi of column (1).
(xiv)	Cambodia Co. 2	50	Do. Cambodia of column (1).
(xv)	Vijay and Digvijay	20	Do. Vijay of column (1).
(xvi)	H-420	50	Do. H-420 of column (1).
(xvii)	Kalyan	20	Do. Kalyan of column (1).
(xviii)	P/A 320 F.R.G.	50	Do. P/A/320 F. R. G. of column (1).
(xix)	MCU 1, 9030 G, MCU 2, Indo-American 170 and 134 LL 54 and M.A. 5.	50	Do. MCU 1 of column (1).

SCHEDULE 'B'

Shri R.G. Saraiya.	Shri Gatulal Rangildas.
Shri Jehangir P. Patel	Shri Tricumdas Chhabildas.
Shri Dwarkadas Jamnadas	Shri Khimji Madhavji
Shri A. B. Wadia.	Shri R. D. Shah.

D. S. JOSHI,
Textile Commissioner.

[No. 24(6)-Tex(A)/59-I]

S.O. 2046.—In exercise of the powers conferred upon me by sub-clause (1) of clause 4 of the Cotton Control Order, 1955, I hereby prescribe that contracts for the sale or purchase of Indian cotton produced during the cotton season 1959-60 shall be subject to the following restrictions and conditions, namely:—

- (1) No person shall enter into a contract for the sale or purchase of cotton at a price less than the minimum price or more than the maximum price as fixed by the Textile Commissioner under clause 3 of the said Order in respect of Indian cotton produced during the cotton season 1959-60, as applicable to the subject matter of the contract having regard to the place of delivery thereunder.
- (2) No person shall enter into a contract of sale with an overseas buyer for the purposes of export (unless he holds a valid export licence): Provided however that where the Joint Chief Controller of Imports and Exports so permits by way of Trade Notice a person may enter into a contract of sale with an overseas buyer for the purpose of export without holding a valid export licence but subject always to the terms and conditions of such Trade Notice.
- (3) Every contract in which the final price is not named shall be construed as if the following clause was inserted therein, namely:—

The price payable shall be within the range of the minimum and the maximum prices fixed by the Textile Commissioner under clause 3 of the Cotton Control Order, 1955, in respect of Indian cotton produced during the cotton season 1959-60.

D. S. JOSHI, Textile Commissioner.

[No. 24(6)-Tex(A)/59-2.]

New Delhi, the 11th September 1959

S.O. 2047.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), and in supersession of the notification of the Government of India in the Ministry of Commerce and Industry No. S.O. 1737, dated the 31st July, 1949, the Central Government hereby makes the following further amendment in the Cotton Control Order, 1955, namely:—

In the said Order, in sub-clause (6) of clause 9, after the words "the State Government", the following words shall be added, namely:—

"or any officer authorised by the State Government in this behalf."

[No. 24(1)-TEX(A)/59-3.]

V. V. NENE, Under Secy.

New Delhi, the 11th September 1959

S.O. 2048.—In exercise of the powers conferred by sub-section (1) of section 3 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), the Central Government hereby declares the following industry to be a village industry to which the said Act applies, namely:—

"Manufacture of cowdung manure".

[No. 4(4)/58-KVE.]

H. K. BANSAL, Under Secy.

MINISTRY OF STEEL, MINES AND FUEL

(Department of Mines & Fuel)

New Delhi, the 8th September 1959

S.O. 2049.—Whereas by a notification of the Government of India in the Department of Mine and Fuel (Ministry of Steel, Mines and Fuel) S. O. No. 299 dated 31st January, 1959, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that notification;

And whereas the Central Government is satisfied that coal is obtainable in the whole or any part of the said lands;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 211.96 acres described in Schedule appended hereto.

The plans of the area covered by this notification may be inspected in the office, of the Collector Surguja or in the office, of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi.

Any person interested in the aforesaid lands may within 30 days of the issue of this notification, file objection to the acquisition of any such rights in or over such lands to the Coal Controller, 1 Council House Street, Calcutta.

SCHEDULE

Bishrampur Coal Field

(Kumda Block—northern extension of Block A-II)

Drawing No. REV/24/59.

(Showing lands where rights to mine
quarry, bore, dig and search for win,
work and carry away minerals are to be
acquired).

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1	Kumda	Jaynagar.	22	Surguja	38·02 Acres.	Part.
2	Kamalpur or Arsota	Jaynagar.	32	Surguja	81·57 Acres.	Part.
3	Kaskela	Jaynagar .	33	Surguja	92·37 Acres.	Part.
					211·96 Acres. (Approximately).	

Particulars of Plots in the said villages in respect of which the said rights are intended to be acquired.

Village Kumda :

498(Part), 499 (Part), 500(Part), 502(Part), 503, 504(Part), 505(Part), 506(Part), 509(Part), 510(Part), 511(Part), 520(Part), 522(Part), 523(Part), 524, 525(Part), 526, 527(Part), 529(Part), 531(Part), 532(Part), 533, 534, 535, 536(Part), 538(Part), 539(Part), 540(Part), 541(Part), 542, 543, 544(Part), 543(Part), 955(Part).

Village Kamalapur alias Arsota :

270(Part), 271(Part), 272(Part), 290(Part), 291(Part), 292(Part), 293, 294 (Part), 297(Part), 298(Part), 299 to 304, 305 (Part), 308 (Part), 309(Part), 310(Part), 311 to 321, 322(Part), 345(Part), 346(Part), 347(Part), 348, 349(Part), 350, 351, 352(Part), 353, 354, 355, 356, 357(Part), 358, to 365, 366(Part), 370(Part), 374(Part), 375(Part), 376(Part), 367(Part), 368 to 371, 372(Part), 373(Part), 374(Part), 375(Part), 376(Part), 377(Part), 378(Part), 379(Part), 380(Part), 381(Part), 382(Part), 383(Part), 384(Part), 385(Part), 386(Part), 387(Part), 388(Part), 389(Part), 390(Part), 391(Part), 392(Part), 393(Part), 394(Part), 395(Part), 396(Part), 397(Part), 398(Part), 399(Part), 400(Part), 401(Part), 402(Part), 403(Part), 404(Part), 405(Part), 406(Part), 407(Part), 408(Part), 409(Part), 410(Part), 411(Part), 412(Part), 413(Part), 414(Part), 415(Part), 416(Part), 417(Part), 418(Part), 419(Part), 420(Part), 421(Part), 422(Part), 423(Part), 424(Part), 425(Part), 426(Part), 427(Part), 428(Part), 429(Part), 430(Part), 431(Part), 432(Part), 433(Part), 434(Part), 435(Part), 436(Part), 437(Part), 438(Part), 439(Part), 440(Part), 441(Part), 442(Part), 443(Part), 444(Part), 445(Part), 446(Part), 447(Part), 448(Part), 449(Part), 450(Part), 451(Part), 452(Part), 453(Part), 454 to 460, 461(Part), 462(Part), 463(Part), 464(Part), 465, 466, 467(Part), 468(Part), 469, 470(Part), 471(Part), 472(Part), 473(Part), 474(Part), 475(Part), 476(Part), 477(Part), 478(Part), 479(Part), 480(Part), 481(Part), 482(Part), 483(Part), 484(Part), 485(Part), 486(Part), 487(Part), 488(Part), 489(Part), 490(Part), 491(Part), 492(Part), 493(Part), 494(Part), 495(Part), 496(Part), 497(Part), 498(Part), 499(Part), 500(Part), 501(Part), 502(Part), 503(Part), 504(Part), 505(Part), 506(Part), 507(Part), 508(Part), 509(Part), 510(Part), 511(Part), 512(Part), 513(Part), 514(Part), 515(Part), 516(Part), 517(Part), 518(Part), 519(Part), 520(Part), 521(Part), 522(Part), 523(Part), 524(Part), 525(Part), 526(Part), 527(Part), 528(Part), 529(Part), 530(Part), 531(Part), 532(Part), 533(Part), 534(Part), 535(Part), 536(Part), 537(Part), 538(Part), 539(Part), 540(Part), 541(Part), 542(Part), 543(Part), 544(Part), 545(Part), 546(Part), 547(Part), 548(Part), 549(Part), 550(Part), 551(Part), 552(Part), 553(Part), 554(Part), 555(Part), 556(Part), 557(Part), 558(Part), 559(Part), 560(Part), 561(Part), 562(Part), 563(Part), 564(Part), 565(Part), 566(Part), 567(Part), 568(Part), 569(Part), 570(Part), 571(Part), 572(Part), 573(Part), 574(Part), 575(Part), 576(Part), 577(Part), 578(Part), 579(Part), 580(Part), 581(Part), 582(Part), 583(Part), 584(Part), 585(Part), 586(Part), 587(Part), 588(Part), 589(Part), 590(Part), 591(Part), 592(Part), 593(Part), 594(Part), 595(Part), 596(Part), 597(Part), 598(Part), 599(Part), 600(Part), 601(Part), 602(Part), 603(Part), 604(Part), 605(Part), 606(Part), 607(Part), 608(Part), 609(Part), 610(Part), 611(Part), 612(Part), 613(Part), 614(Part), 615(Part), 616(Part), 617(Part), 618(Part), 619(Part), 620(Part), 621(Part), 622(Part), 623(Part), 624(Part), 625(Part), 626(Part), 627(Part), 628(Part), 629(Part), 630(Part), 631(Part), 632(Part), 633(Part), 634(Part), 635(Part), 636(Part), 637(Part), 638(Part), 639(Part), 640(Part), 641(Part), 642(Part), 643(Part), 644(Part), 645(Part), 646(Part), 647(Part), 648(Part), 649(Part), 650(Part), 651(Part), 652(Part), 653(Part), 654 to 660, 661(Part), 662(Part), 663(Part), 664, 665, 666(Part), 667(Part), 668(Part), 669(Part), 670(Part), 671(Part), 672(Part), 673(Part), 674(Part), 675(Part), 676(Part), 677(Part), 678(Part), 679(Part), 680(Part), 681(Part), 682(Part), 683(Part), 684(Part), 685(Part), 686(Part), 687(Part), 688(Part), 689(Part), 690(Part), 691(Part), 692(Part), 693(Part), 694(Part), 695(Part), 696(Part), 697(Part), 698(Part), 699(Part), 700(Part), 701(Part), 702(Part), 703(Part), 704(Part), 705(Part), 706(Part), 707(Part), 708(Part), 709(Part), 710(Part), 711(Part).

Village Kaskela :

314(Part), 315(Part), 316 to 319, 320(Part), 322(Part), 323, 324(Part), 325 to 332, 333(Part)
334(Part), 336(Part), 337(Part), 342(Part), 343(Part), 344(Part), 345(Part), 346, 347(Part), 348(Part),
351(Part), 352(Part), 353(Part), 354, 355(Part), 381(Part), 382(Part), 542(Part), 543(Part), 544 to
549, 550(Part), 551(Part), 552(Part), 553(Part), 555(Part), 557(Part), 558 to 569, 570(Part), 572
(Part), 574(Part), 575 to 577, 578(Part), 579 to 589, 590 (Part), 591(Part), 592 to 595, 596(Part)
605(Part), 603(Part), 609, 610(Part), 611 to 614, 615 (Part), 664(Part), 665(Part), 880(Part), 888
(Part), 914(Part).

KUMDA BLOCK :

Boundary Description :

AB line passes through the plot Nos. .
510, 509, 506, 505, 504, 502, 500, 499, 498, 544, 955 in Village Kurnda, 711, 700, 697,
663, 696, 666, 668, 667, 648, 647, 643, 642, 644, 641, 546, 547, 549, 552, 545, 322, 291, 290,
294, 292, 297, 298, 272, 271, 270 in Villagae Kamalapur alias Arsota. 322, 320, 314, 315, 355, 353,
344, 352, 351, 347, 348, 381, 332, 542, 543, 570, 578, 572, 574, 615, 664 in Village Kaskela.

BC line passes through the Plot Nos.:

664, 665, 610, 606, 608, in Village Kaskela.

CD line passes through the Plot Nos. :

608, 596, 591, 590, 880, 557, 888, 555, 553, 552, 551, 550, 543, 345, 344, 914, 343, 342, 336, 337, 333, 334, 324 in village Kaskela. 305, 308, 309, 310, 545, 568, 570, 574, 575, 576, 557, 631, 630, 644, 612, 613, 607, 651, 652, 653, 661, 662, 711, in village Kamalapur alias Arsota.

955, 544, 548, 541, 539, 538, 540, 536, 532, 531, 529, 527, 525, 523, 520 in village Kumda.

DA line passes through the Plot No. 523, 522, 510, 511, in Village Kumda.

[No. C2-21(I)/59].

B. ROY, Under Secy.

ERRATUM

In the Ministry of Steel, Mines and Fuel (Department of Iron and Steel) Notification No. SC(A)-1(20)/59, dated 31st August 1959, published in the Gazette of India, Part II—Section 3(ii), dated 5th September 1959 as S.O. 1916, the following correction is to be made:—

Page 2100, first line of the amendment relating to entry No. 29—
for “Officers”
read “Offices”.

MINISTRY OF FOOD & AGRICULTURE

(Department of Food)

New Delhi-1, the 5th September 1959

S.O. 2050.—In continuation of Notification of even number dated the 3rd February, 1959 and in pursuance of the provisions of clause (d) of sub-section (i) of Section 21 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 read with the Rule 18 of the Agricultural Produce (Development and Warehousing) Corporations Rules, 1956, the name and the address of the candidate elected as Director at the second Annual General meeting of the Central Warehousing Corporation held at New Delhi on the 25th July, 1959 by the class of share holders mentioned against him is published for general information:—

Name and Address of the Director, elected	Class of Shareholders by whom elected
Shri K. P. Goenka, 31, Netaji Subhash Road, Calcutta.	Recognised Associations and Joint Stock Companies dealing in Agricultural Produce.

[No. F.-35/7/59-SG. II.]

DEVAJI NANDAN GOYAL, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 8th September 1959

S.O. 2051.—In exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendment in the First Schedule to the said Act, namely:—

In the said Schedule, in the entries relating to the University of Calcutta, after the entry “Diploma in Ophthalmic Medicine and Surgery.....D.O.M.S. Cal.” the following entry shall be inserted, namely:—

“Diploma in Gynaecology and Obstetrics..... D.G.O., Cal.”

[No. F. 5-53/58-M.I.]

A. K. DAR, Under Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 9th September 1959

S.O. 2052.—The following draft of an amendment in the Indian Merchant Shipping (Load Line) Rules, 1934, which the Central Government proposes to make in exercise of the powers conferred by section 219 of the Indian Merchant Shipping Act, 1923 (21 of 1923), is published as required by the said section for the information of persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In the Third Schedule to the said Rules,—

- (I) In the first Part, in sub-paragraph (i) (a) of paragraph 1, for the words, figures and letter "Vancouver Island at lat. 50°N", the words, figures and letter "British Columbia at lat. 55°N" shall be substituted;
- (II) In the same Part, in sub-paragraph (II) (b), for the words, figures and letter "west coast of Australia at lat. 35°S. thence along the south coast of Australia to Cape Arid", the words, figures and letter "point lat. 35°30'S long. 118°E. off the southern coast of Australia" shall be substituted.
- (III) In the Second Part,
 - (a) in the entry in the second column against serial No. 5, for the words figures and letter "Vancouver Island at lat. 50°NE", the words, figures and letter "British Columbia at lat. 55°N" shall be substituted;
 - (b) in the entry in the second column against serial No. 6, for the words, figures and letter "west coast of Australia at lat. 35°S. thence along the south coast of Australia to Cape Arid", the words, figures and letter "Point at lat. 35°30'S. long. 118°E. off the southern coast of Australia" shall be substituted.
- (IV) In the chart at the end, the existing Note shall be renumbered as Note 1 and below Note 1 as so renumbered, the following Note shall be inserted, namely:—

"NOTE 2.—This chart should be read with the amendments made to the Third Schedule by the Notification No dated of the"

[No. 42-MA(10)/58]

S. K. VENKATACHALAM, Dy. Secy.

(Department of Transport)

(Transport Wing)

New Delhi, the 19th September 1959

S.O. 2053.—In pursuance of sub-rule (1) of rule 48 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908) and in supersession of all previous notifications on the subject, the Central Government hereby appoints the officers specified in column (1) of the table below as officers to whom notices

of orders of attachment of salary or allowances of the officers specified in the corresponding entries in column (2) of the said table shall be sent.

TABLE

Officers to whom notice should be sent	Officers whose salaries and allowances are attached
A—HEADQUARTERS OFFICE	
(i) <i>Department of Transport (Transport Wing)</i>	
Deputy Secretary (Estt.) Department of Transport (Transport Wing), New Delhi.	All Officers (Gazetted and non-gazetted) in the Department of Transport (Transport Wing) of the Ministry of Transport and Communications.
(ii) <i>Department of Transport (Roads Wing)</i>	
Consulting Engineer (Road Development) and Joint Secretary, Department of Transport (Roads Wing), New Delhi.	All Officers (Gazetted and non-gazetted) in the Department of Transport (Roads Wing) of the Ministry of Transport & Communications.
B—ATTACHED OFFICE(S)	
<i>Department of Tourism, New Delhi</i>	
Director (Administration) Department of Tourism, Ministry of Transport & Communications, New Delhi.	All Officers (Gazetted and non-gazetted) of (i) Department of Tourism and (ii) Tourist Organisations consisting of all the Government of India Tourist Offices in India and abroad.
C—SUBORDINATE OFFICES	
(i) <i>Directorate General of Shipping, Bombay and its subordinate offices.</i>	
Deputy Director General of Shipping, Bombay, in charge of Administration.	1. All Officers (Gazetted and non-gazetted) in the Directorate General of Shipping, Bombay. 2. All Officers (Gazetted and non-gazetted) in the Seamen's Welfare Offices, Bombay/Calcutta/Madras. 3. All Officers (Gazetted and non-gazetted) in the Regional Offices, (Sails) Bombay/Tuticorin/Masulipatam.
Principal Officer, Mercantile Marine Department, Bombay.	All Officers (Gazetted and non-gazetted) in the Mercantile Marine Department, Bombay.
Principal Officer, Mercantile Marine Department, Calcutta.	All Officers (Gazetted and non-gazetted) in the Mercantile Marine Department, Calcutta.
Principal Officer, Mercantile Marine Department, Madras.	All Officers (Gazetted and non-gazetted) in the Mercantile Marine Department Madras, & M.M.D. at Visakhapatnam and Cochin.
Shipping Master, Bombay	All Officers (Gazetted and non-gazetted) in the Shipping Office, Bombay.
Shipping Master, Calcutta	All Officers (Gazetted and non-gazetted) in the Shipping Office, Calcutta.
Director, Seamen's Employment Office, Bombay	All Officers (Gazetted and non-gazetted) in the Seamen's Employment office Bombay.
Director, Seamen's Employment Office, Calcutta	All Officers (Gazetted and non-gazetted) in the Seamen's Employment Office Calcutta.

Officers to whom notice should be sent	Officers whose salaries and allowances are attached
Director of Marine Engineering Training, Calcutta.	All Officers (Gazetted and non-gazetted) in the Directorate of Marine Engineering Training, Bombay and Calcutta.
Principal, Nautical and Engineering College, Bombay.	All Officers (Gazetted and non-gazetted) in the Nautical and Engineering College, Bombay.
Capt. Superintendent, Training Ship, "Dufferin", Bombay.	All Officers (Gazetted and non-gazetted) of the Training Ship "Dufferin", Bombay.
Capt. Superintendent, Training Ship, "Bhadra", Calcutta.	All Officers (Gazetted and non-gazetted) of the Training Ship, "Bhadra", Calcutta.
Capt. Superintendent, Training Ship, "Mekhala", Visakhapatnam.	All Officers (Gazetted and non-gazetted) of the Training Ship "Mekhala", Visakhapatnam.
Capt. Superintendent, Training Ship "Naulakshi", Navlakhi.	All Officers (Gazetted and non-gazetted) of the Training Ship "Naulakshi" Navlakhi.

(ii) *Department of Lighthouses and Lightships and its Subordinate Offices*

Director General of Lighthouses and Lightships.	All Officers (Gazetted and non-gazetted) in the (a) Department of Lighthouses and Lightships (Headquarters), New Delhi. (b) Lighthouse Workshop, Bombay. (c) Regional Office, Bombay.
Engineering Supervisor, Madras	All Officers (Gazetted and non-gazetted) in the Lighthouse Workshop, Madras.
Director of Lighthouses & Lightships, Madras	All Officers (Gazetted and non-gazetted) in the office of the Director of Lighthouses & Lightships, Madras, the Regional Office, Madras and the staff posted at the various lighthouses in the Madras Lighthouse District.
Director of Lighthouses & Lightships, Bombay	All Officers (Gazetted and non-gazetted) in the office of the Director of Lighthouses & Lightships, Bombay, the staff posted at the various lighthouses in the Bombay Lighthouse District and the staff of the lighthouse tenders and motor boats.
Director of Lighthouses and Lightships, Jamnagar	All Officers (Gazetted and non-gazetted) in the Office of the Director of Lighthouses & Lightships, Jamnagar (the Regional Office, Jamnagar) and the staff posted at the various lighthouses in the Saurashtra-Kutch District and the staff of the motor boats.
Director of Lighthouses and Lightships, Calcutta	All Officers (Gazetted and non-gazetted) in the office of the Director of Lighthouses & Lightships Calcutta, the Regional Office, Calcutta, the staff posted at various lighthouses in the Calcutta Lighthouse District and the staff of the motor boats.

(iii) *Major Ports*

Development Commissioner, Kandla Port Project, Kandla.	All Officer (Gazetted and non-gazetted) under the Development Commissioner, Kandla Port Project, Kandla.
Administrative Officer, Cochin Harbour, Cochin-3	All Officers (Gazetted and non-gazetted) under the Administrative Officer, Cochin Port.

Officers to whom notice should be sent	Officers whose salaries and allowances are attached
Port Administrative Officer, Vizagapatam Port.	All Officers (Gazetted and non-gazetted under the Port Administrative Officer Vizagapatam Port, Vizagapatam.
Chief Accountant, Bombay Port Trust	All Officers and staff of the Bombay Port Trust, Bombay.
Chief Accountant and Financial Adviser, Calcutta Port Commissioners.	All Officers and staff of the Calcutta Port Commissioners, Calcutta.
Financial Adviser and Chief Accounts Officer, Madras Port Trust.	All Officers and staff of the Madras Port Trust, Madras.
(iv) <i>Minor Ports</i>	
Resident Engineer, Pondicherry Port Project, Pondicherry.	All Officers (Gazetted and non-gazetted) in the Pondicherry Port Project, Pondicherry.

[No. F. 2-G(29)/56].

R. L. GUPTA, Secy.

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS*New Delhi-2, the 9th September 1959*

S.O. 2054.—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, and in supersession of the notifications of the Government of India in the late Ministry of Natural Resources and Scientific Research No. S.R.O. 615 dated the 28th February, 1957 and the Ministry of Education No. S.R.O. 622, dated the 28th February, 1957, the President hereby directs that:—

(1) in respect of the posts in the General Central Service, Class II, specified in column 1 of Part I of the Schedule to this order, the authority specified in column 2 shall be the Appointing Authority and the authority specified in column 3 shall be the Disciplinary Authority in regard to the penalties specified in column 4;

(2) in respect of the of the posts in the General Central Service, class III and the General Central Service, Class IV specified in column 1 of Parts II and III of the said Schedule, the authority specified in column 2 shall be the Appointing Authority and the authorities specified in columns 3 and 5 shall be the Disciplinary Authority and Appellate Authority respectively in regard to the penalties specified in column 4.

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS*Part I—General Central Service, Class II*

Description of post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13)	
		Authority	Penalties
1	2	3	4
Secretariat			
All Non-Gazetted posts	Joint Secretary.	Joint Secretary	All
Department of Anthropology			
All Gazetted posts	Secretary, Ministry of Scientific Research and Cultural Affairs.	Secretary, Ministry of Scientific Research and Cultural Affairs.	All
Librarian (Non-Gazetted Class II)	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.	All

	1	2	3	4
<i>Department of Archaeology</i>				
All Gazetted Posts		Secretary, Ministry of Scientific Research and Cultural Affairs.	Secretary, Ministry of Scientific Research and Cultural Affairs.	All
<i>Central Board of Geophysics</i>				
All Posts		Secretary, Ministry of Scientific Research and Cultural Affairs.	Secretary, Ministry of Scientific Research and Cultural Affairs.	All
<i>Central Reference Library, Calcutta</i>				
All Gazetted Posts		Secretary, Ministry of Scientific Research and Cultural Affairs.	Secretary, Ministry of Scientific Research and Cultural Affairs.	All
<i>National Atlas Organisation</i>				
All Posts		Secretary, Ministry of Scientific Research and Cultural Affairs.	Secretary, Ministry of Scientific Research and Cultural Affairs.	All
<i>National Gallery of Modern Art, New Delhi.</i>				
All Non-Gazetted Posts		Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	All
<i>National Library, Calcutta.</i>				
All Gazetted Posts		Secretary, Ministry of Scientific Research and Cultural Affairs.	Secretary, Ministry of Scientific Research and Cultural Affairs.	All
All Non-Gazetted Posts		Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	All
<i>National Museum, New Delhi</i>				
All Non-Gazetted Posts		Joint Secretary/Joint Educational Adviser Ministry of Scientific Research and Cultural Affairs.	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	All
All Gazetted Posts		Secretary, Ministry of Scientific Research and Cultural Affairs.	Secretary, Ministry of Scientific Research and Cultural Affairs.	All

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

Part II General Central Service, Class III

Description of post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13).		Appellate Authority
		Authority	Penalties	
1	2	3	4	5

Secretariat

All posts . Deputy Secretary . Deputy Secretary . All Joint Secretary.

1	2	3	4	5
<i>Department of Anthropology</i>				
All Posts	Director	Director	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Department of Archaeology Head Quarters' Office.</i>				
All Posts	Director General	Director General	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Other Offices</i>				
All Posts	Superintendent of Circles; Superintendent of Excavations Branch; Superintendent Archaeological Section, Indian Museum, Calcutta; Archaeological Chemist; Government Epigraphist, Ootacamund; Assistant Archaeological Chemist, Hyderabad; Superintendent Central Asian Antiquities Museum, New Delhi.	Superintendent of Circles; Superintendent of Excavations Branch; Superintendent Archaeological Section, Indian Museum, Calcutta; Archaeological Chemist; Government Epigraphist, Ootacamund; Assistant Archaeological Chemist, Hyderabad; Superintendent, Central Asian Antiquities Museum, New Delhi.	All	Director General
<i>Botanical Survey of India</i>				
All Posts (Technical & Ministerial).	Chief Botanist	Chief Botanist	All	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.
<i>Central Board of Geophysics.</i>				
All posts	Secretary, Central Board of Geophysics.	Secretary, Central Board of Geophysics.	All	Deputy Secretary, Ministry of Scientific Research and Cultural Affairs.
<i>Central Reference Library Calcutta.</i>				
All Posts	Librarian, National Library, Calcutta.	Librarian, National Library, Calcutta.	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Indian School of Mines and Applied Geology.</i>				
All Posts	Director]	Director]	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.

1	2	3	4	5
<i>Indian War Memorial, Delhi.</i>				
All Posts	President, Indian War Memorial.	President, Indian War Memorial.	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>National Atlas Organisation</i>				
All Posts	Head of Office	Head of Office	All	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.
<i>National Gallery of Modern Art, New Delhi.</i>				
All Posts	Deputy Secretary/ Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	Deputy Secretary/ Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>National Library, Calcutta.</i>				
All Posts	Librarian	Librarian	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs
<i>National Museum, New Delhi.</i>				
All Posts	Deputy Secretary/ Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	Deputy Secretary/ Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs.	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Regional Offices.</i>				
All Posts	Assistant Educational Adviser (T) in charge of Regional Office concerned.	Assistant Educational Adviser (T) in charge of Regional Office concerned.	All	Deputy Secretary/ Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Survey of India.</i>				
Superintendent, Surveyor General's Office	Surveyor General	Surveyor General	All	Joint Secretary Ministry of Scientific Research and Cultural Affairs.
Posts in Division I— Topographical and Reproduction Establishment; Supervisor, Instrument workshops; Stores Assistant; Security Supervisor.	Surveyor General	Surveyor General	All	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.
All posts in the Surveyor General's Office other than that of Superintendent.	Deputy Surveyor General.	Deputy Surveyor General.	All	Surveyor General

1	2	3	4	5
All posts in Subordinate Offices other than those mentioned above.	Director concerned	Director concerned	All	Surveyor General
<i>Vijnan Mandirs</i> Vijnan Mandir Officers ; Assistant Vijnan Mandir Officer.	Deputy Secretary of Ministry of Scientific Research and Cultural Affairs.	Deputy Secretary of Ministry of Scientific Research and Cultural Affairs.	All	Joint Secretary of Ministry of Scientific Research and Cultural Affairs.
<i>Zoological Survey of India.</i> All Posts (Technical & Ministerial)	Director	Director	All	Joint Secretary of Ministry of Scientific Research and Cultural Affairs.

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

Part III General Service, Class IV

Description of Post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13)		Appellate Authority
		Authority	Penalties	
1	2	3	4	5
<i>Department of Anthropology, Calcutta</i> All Posts	Director	Director	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Department of Archaeology Headquarters Office</i> All Posts	Director General	Director General	All	Joint Secretary/ Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.

1	2	3	4	5
<i>Other Offices</i>				
All posts *Archaeological Section, Indian, Museum, Calcutta.	Superintendent of Circles ; Superintendent of Excavations Branch ; Superintendent* Archaeological Chemist ; Government Epigraphist, Ootacamund ; Assistant Archaeological Chemist, Hyderabad ; Superintendent Central Asian Antiquities Museum, New Delhi	Superintendent of Circles ; Superintendent of Excavations Branch ; Superintendent Archaeological Section, Indian Museum, Calcutta ; Archaeological Chemist ; Government Epigraphist, Ootacamund ; Assistant Archaeological Chemist, Hyderabad ; Superintendent Central Asian Antiquities Museum, New Delhi.	All	Director General
<i>Botanical Survey of India</i> All Posts	Chief Botanist	Chief Botanist	All	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.
<i>Central Board of Geophysics</i> All Posts	Secretary, Central Board of Geophysics.	Secretary, Central Board of Geophysics.	All	Deputy Secretary, Ministry of Scientific Research and Cultural Affairs.
<i>Central Reference Library, Calcutta.</i> All Posts	Librarian, National Library, Calcutta	Librarian, National Library, Calcutta.	All	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Delhi Polytechnic</i> All Posts	Principal	Principal	All	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Indian School of Mines and Applied Geology, Dhanbad</i> All Posts	Director	Director	All	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Indian War Memorial, Delhi.</i> All Posts	President, Indian War Memorial, Delhi.	President, Indian War Memorial, Delhi.	All	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.

1	2.	3	4	5
<i>National Atlas Organisation Calcutta</i> All Posts	Head Office	Head Office	All	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.
<i>National Gallery of Modern Art, New Delhi.</i> All Posts	Curator	Curator	All	Deputy Secretary/Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>National Library, Calcutta.</i> All Posts	Librarian	Librarian	All	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>National Museum, New Delhi.</i> All Posts	Deputy Secretary/Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs	Deputy Secretary/Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs	All	Joint Secretary/Joint Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Regional Offices.</i> All Posts	Assistant Educational Adviser in-charge of the Regional Office concerned.	Assistant Educational Adviser in-charge of the Regional Office concerned.	All	Deputy Secretary/Deputy Educational Adviser, Ministry of Scientific Research and Cultural Affairs.
<i>Zoological Survey of India.</i> All Posts	Director	Director.	All	Joint Secretary, Ministry of Scientific Research and Cultural Affairs.
<i>Survey of India.</i> (i) Posts in the Surveyor General's Office	Assistant Surveyor General.	Assistant Surveyor General.	All.	Deputy Surveyor General.
(ii) Posts in the: (a) Map Publication Office. (b) Northern Circle Office. (c) Eastern Circle Office and No. 5 Drawing Office. (d) Southern Circle Office and No. 4 Drawing Office. (e) Air Survey and Training Directorate.	Deputy Director Survey of India concerned.	Deputy Director Survey of India concerned.	All.	Director, Survey of India concerned.

1	2	3	4	5
(iii) Post in Circle Offices other than those mentioned above.	Director Survey of India concerned.	Director Survey of India concerned.	All.	Surveyor General.
(iv) Posts in other offices (including parties under the Director).	Officer-in-Charge.	Officer-in-charge.	All.	Director Survey of India concerned.
<i>Vijnan Mandirs.</i>				
Laboratory Attendant.	Special Officer.	(a) Special Officer. (b) Vijnan Mandir Officer.	All (i) to (iii)	(a) Deputy Secretary. (b) Special Officer.
Peon-cum-Watchman.	Special Officer.	(a) Special Officer. (b) Vijnan Mandir Officer.	All (i) to (iii).	(a) Deputy Secretary. (b) Special Officer.

[No. F. 6-31/58 O&M.]

B. N. BHARDWAJ, Under Secy.

MINISTRY OF WORKS, HOUSING & SUPPLY**CORRIGENDUM***New Delhi, the 11th September 1959*

S.O. 2055.—In this Ministry's notification S.O. 1649 published at page 1857 of Part II-Section 3(ii) of the Gazette of India dated the 25th July 1959:—

for the words "issued with this Ministry's Notification No. EIII-10(10)/53-ESI dated 12th March 1958" read "issued with this Ministry's Notification No. EIII-10(10)/53-ESI dated 15th March 1958 at pages 164 to 166 of Part II-Section 3(i) of the Gazette of India dated the 5th April, 1958".

[No. E-56(1)/57-Dis.]

GURPAL SINGH, Under Secy.

MINISTRY OF REHABILITATION**(Office of the Chief Settlement Commissioner)***New Delhi, the 8th September 1959*

S.O. 2056.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the States of Madras, Mysore and Kerala, Shri M. N. Mathur for the time being holding the post of Settlement Officer under the Regional Settlement Commissioner-cum-Custodian of Evacuee Property, Bombay, as Deputy Custodian for the purpose of discharging the duties assigned to the Custodian of Evacuee Property by or under the said Act.

[No. 16(7)-Admn(Prop)/59.]

S.O. 2057.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act No. 44 of 1954, the Central Government hereby appoints for the States of Madras, Mysore and Kerala, Shri M. N. Mathur for the time being holding the post of Settlement Officer under the Regional Settlement Commissioner-cum-Custodian of Evacuee Property, Bombay, as Managing Officer, for the custody, management and disposal of compensation pool.

[No. 16(7)-Admn(Prop)/59].

New Delhi, the 7th September 1959

S.O. 2038.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the State of Punjab, Shri Saroop Krishen, I. C. S., Financial Commissioner (Development), Punjab as Custodian for the purpose of discharging the duties assigned to such Officer by or under the said Act

[No. 16(6) - Admn(Prop) /59.]

M. L. PURI,
Settlement Commissioner (Admn.) and
Ex-Officio Under Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 9th September 1959

S.O. 2059.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Rehabilitation No. 3(50) Policy-II/58 dated the 4th December, 1958.

[No. 3(50) Policy-II/58.]

I. N. CHIB,
Deputy Chief Settlement Commissioner and
Ex-Officio Dy. Secy.

(Office of the Chief Settlement Commissioner)

ORDERS

New Delhi, the 8th September 1959

S.O. 2060.—In exercise of the powers conferred on me by sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I hereby delegate my powers to extend the period for the deposit of the balance of the purchase money or for furnishing particulars of compensation applications of associates in the case of property purchased by auction or tender as required under proviso to sub-rules 11 and 12 of rule 90 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 to Shri P. N. Bhanot, Regional Settlement Commissioner, New Delhi.

[No. F. 4(1) Com-II/57/Policy-I.]

New Delhi, the 9th September 1959

S.O. 2061.—In exercise of the powers conferred by sub-section (2) of section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Chief Settlement Commissioner, hereby rescinds his orders No. 3(50)/58-Policy II dated the 4th December, 1958, and No. 3(50)/58-Policy II dated the 5th March, 1959.

[No. 3(50)/58-Policy II.]

L. J. JOHNSON,
Chief Settlement Commissioner.

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 12th September 1959

S.O. 2062.—In pursuance of the provisions of Sub-Section (4) of Section 22 of the Delhi Development Act, 1957, it is hereby notified that the Delhi Development Authority has replaced the Nazul land described in the schedule below at the disposal of the Chief Commissioner, Delhi.

SCHEDULE

(1) Land bearing khasra Nos. 614 and 615 measuring 4 Bighas 19 Biswas in Sarai Kale Khan in Aliganj Estate.

(2) Land bearing khasra No. 611 and 612 measuring 5 Bighas 14 Biswas in Sarai Kale Khan in Aliganj Estate.

The above land is bounded as follows:—

North—Private Abadi.

South—Nazul land.

East—Private land of Sarai Kale Khan.

West—Nazul land.

[No. L.1(12)53.]

M. L. GUPTA, Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 9th September 1959

S.O. 2063.—PWA/14/No. I/Am. 4/59.—In exercise of the powers conferred by sub-section (3) of section 14 read with section 24 of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour No S.R.O. 984 dated the 21st March, 1957 namely:—

In the said notification—

Under item VI relating to “Regional Labour Commissioner (Central), Dhanbad” in column 1 of entry 8, the following item shall be inserted after item (ix), namely:—

“(x) Jharia”.

[No. Fac. 103(37)/59.]

New Delhi, the 10th September 1959

S.O. 2064.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Coal Mines Bonus Scheme published with the notification of the Government of India in the Late Ministry of Labour No. P.F. 16(1)/48 dated the 3rd July, 1948 and as amended from time to time, namely:—

In the said Scheme—

1. in paragraph 11, after sub-paragraph (4) the following sub-paragraph shall be inserted, namely:—

“(5) Notwithstanding anything contained in sub-paragraphs (1) and (3), where an employer has maintained in respect of any period registers of daily attendance in Forms C, D. and E. under rule 78 of the Mines Rules 1955 he may not maintain separate registers in Form III, IV or V of this Scheme in respect of that period and in any such case any register maintained under the said Mines Rules shall be deemed to have been maintained under this Scheme.

2. in clause (b) of sub-paragraph (1) of paragraph 12, after the words “sent or maintained” the words “or deemed to be maintained” shall be inserted.

[No. PF-I/3(109)/58-I.]

S.O. 2065.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Rajasthan Coal Mines Bonus Scheme published with the notification of the Government of India in the Late Ministry of Labour No. S. R. O. 3643 dated the 17th December, 1954 and as amended from time to time, namely:—

In the said Scheme—

1. in paragraph 10 after sub-paragraph (4) the following sub-paragraph shall be inserted, namely:—

“(5) Notwithstanding anything contained in sub-paragraphs (1) and (3), where an employer has maintained in respect of any period, registers of daily

attendance in Forms C, D, and E, under rule 78 of the Mines Rules, 1955, he may not maintain separate registers in Form III, IV or V of this Scheme in respect of that period in any such case any register maintained under the said Mines Rules shall be deemed to have been maintained under this scheme

2 in clause (b) of sub-paragraph (1) of paragraph 12, after the words "sent or maintained" the words "or deemed to be maintained" shall be inserted

[No PF-I/3(109)/58-III]

S.O. 2066.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Assam Coal Mines Bonus Scheme, 1955, published with the notification of the Government of India in the late Ministry of Labour S R O 2041, dated the 8th September, 1955, and as amended from time to time, namely:—

In the said Scheme—

1 in paragraph 10, after sub-paragraph (4) the following sub-paragraph shall be inserted, namely:—

"(5) Notwithstanding anything contained in sub-paragraphs (1) and (3), where an employer has maintained in respect of any period, registers of daily attendance in Forms C, D and E under rule 78 of the Mines Rules 1955 he may not maintain separate registers in Form III IV or V of this Scheme in respect of that period and in any such case any register maintained under the said Mines Rules shall be deemed to have been maintained under this Scheme

2 in clause (b) of sub-paragraph (1) of paragraph 12 after the words "sent or maintained" the words "or deemed to be maintained" shall be inserted

[No PF-I/3(109)/58-IV]

New Delhi, the 11th September 1959

S.O. 2067.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Andhra Pradesh Coal Mines Bonus Scheme published with the notification of the Government of India in the late Ministry of Labour No SRO 1705 dated the 4th October, 1952 and as amended from time to time, namely:—

In the said Scheme—

1 in paragraph 10, after sub-paragraph (4) the following sub paragraph shall be inserted, namely —

"(5) Notwithstanding anything contained in sub-paragraph (1) and (3), where an employer has maintained in respect of any period, registers of daily attendance in Forms C, D and E under rule 78 of the Mines Rules, 1955 he may not maintain separate registers in Form III IV or V of this Scheme in respect of that period and in any such case any register maintained under the said Mines Rules shall be deemed to have been maintained under this Scheme

2 in clause (b) of sub-paragraph (1) of paragraph 12 after the words "sent or maintained" the words "or deemed to be maintained" shall be inserted

[No PF-I/3(109)/58-II]

New Delhi, the 12th September 1959

S.O. 2068.—In exercise of the powers conferred by sub section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K R Das Sarkar, I A S, Regional Provident Fund Commissioner, West Bengal and Andaman & Nicobar Islands to be an Inspector for the whole of the union territory of Andaman and Nicobar Islands for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to or under the control of the Central Government, or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry

[No PF-I/31(632)/59]

S.O. 2069.—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri K R Das Sarkar, I A S, Regional Provident Fund Commissioner, West Bengal, Calcutta as Regional Provident Fund Commissioner for the whole of the union

territory of the Andaman and Nicobar Islands also. Shri Das Sarkar shall work under the general control and superintendence of the Central Commissioner.

[No. PF-I/31 (632)/59.]

New Delhi, the 14th September 1959

S.O. 2070.—PW/Mines/Rules/Am.—In supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2358 dated the 5th November, 1958, published in the Gazette of India Part II, sub-section (ii) of section 3, dated the 15th November, 1958, the following draft of certain further amendments to the Payment of Wages (Mines) Rules, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), is published as required by sub-section (5) of section 26 of the said Act for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 20th December, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government. Such objection or suggestion should be addressed to the Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.

DRAFT AMENDMENTS

In the said Rules—

(i) for sub-rule (1) of rule 17, the following sub-rule shall be substituted, namely:—

“(1) In the case of piece-rated work, the employer shall, at the end of each day or shift, take weightment or measurement of work done by the workers concerned in their presence and immediately thereafter record the particulars in a register maintained in Form IVA and take the initials or thumb impression of each worker in token of the correctness of the entries made therein, provided that where the unit of measurement is a tub or mine-car or other receptacle, the weightment, measurement or assessment of work may be done otherwise than in the presence of the worker. At the close of the wage period, the total of weightment, measurement or assessment shall be written up in a measurement slip which shall be handed over to each worker at least a day prior to the disbursement of wages. In case of dispute regarding weightment, measurement or assessment, the employer shall, as far as possible, settle the dispute on the spot in consultation with the worker or his representative or both.”;

(ii) after the existing Form IV, the following shall be inserted as Form IVA, namely:—

| FORM IVA |

| [See rule 17(1)] |

Register of work done by piece workers for the week ending.....

| Mine,

Sl. No.	Name of the worker	Father's Husband's Name	No. of units of work done							Total	Initial/thumb impression of the worker
			S	M	T	W	TH	FRI	SAT		
1	2	3	4	5	6	7	8	9	10	11	12

[No. Fac. 49(27)/58.]

P. D. GAIHA, Under Secy.

New Delhi, the 9th September 1959

S.O. 2071.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Central Kurkend colliery and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 68 of 1958

PARTIES:

Employers in relation to the Central Kurkend Colliery,

AND

their workmen.

Dhanbad, dated the 25th August 1959

PRESENT:

Shri Salim M. Merchant, B.A.L.L.B., Presiding Officer.

APPEARANCES:

Shri S. S. Mukherjea, Advocate, with Shri D. Narsingh, Advocate, instructed by Shri S. C. Jain, Director, and Shri V. K. Talwar, Manager,—for the employers.

Shri D. L. Sen Gupta, Advocate, with Shri S. Das Gupta, Secretary, Shri A. P. Gupta, Organising Secretary, and Shri B. N. Sharma, Member, Executive Committee, Colliery Mazdoor Sangh,—for the workmen.

STATE: Bihar.

INDUSTRY: Coal.

AWARD

The Government of India, Ministry of Labour & Employment, by Order No. LR.II-1(77)/58 dated 23rd December 1958, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer to me for adjudication the industrial dispute between the parties above named in respect of the matters specified in the following schedule to the said Order:—

"Whether the closure of Pits No. 2 and 11 of the Central Kurkend Colliery was justified and if not, to what relief the workmen retrenched as a result of the closure of these two Pits are entitled."

2. After the parties had filed their respective written statements and the dispute had been heard for some days, the parties at the hearing on 23rd July 1959 filed a joint petition dated 22nd July 1959 stating that they had agreed to refer the issue, "whether the closure of Pits No 2 and 11 of the Central Kurkend colliery was justified," to the joint arbitration of Shri S. N. Saigal, Chief Mining Engineer, National Coal Development Corporation (Private) Limited and Shri B. H. Engineer, Chief Mining Engineer, Messrs. Tata Iron and Steel Co. Ltd., and they further stated that they would abide by the findings of the Arbitrators on that issue. That application further stated that the question of relief to the workmen retrenched as a result of the closure of the two pits would be decided by this Tribunal in the light of the findings of the Arbitrators. The dispute was therefore adjourned to 24th August 1959.

3. The two Arbitrators by their report dated 13th August 1958 have held that the closure of Pits Nos. 2 and 11 of Central Kurkend Colliery was justified. The copies of the said report of the Arbitrators were forwarded by them to the Tribunal and the parties direct by a covering letter dated 18th August 1959.

4. At the hearing on 24th August 1959 the parties stated that they would abide by the finding of the Arbitrators that the closure of the Pits 2 and 11 was justified.

5. In the result I declare that the closure of Pits 2 and 11 of the Central Kurkend Colliery was justified.

6. Under the terms of reference the question of what relief the workmen retrenched as a result of the closure of the two pits are to be entitled to has to be gone into only if it was held that the closure was not justified. Since it has now been held that the closure of the Pits 2 and 11 was justified, no question arises

of granting any relief to the workmen retrenched as a result of the closure of the said two pits.

7. In the result, I award that the closure of pits 2 and 11 of the Central Kurkend Colliery was justified and consequently no relief under the terms of reference can be awarded to the workmen retrenched.

8. No order as to costs.

(Sd.) SALIM M. MERCHANT,
Presiding Officer,
Central Govt. Industrial Tribunal, Dhanbad.
[No. LR-II/1(77)/58.]

S.O. 2072.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi on the applications under Section 33A of the Act submitted by Shri J. Prasad, Labour and Industrial Consultant and Taxation Expert, Ajmer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI.

PRESENT:

Shri E. Krishna Murti, Central Govt. Industrial Tribunal.

21st August, 1959

APPLICATION U/S.33A, INDUSTRIAL DISPUTES ACT, 1957

I. D. No. 446 of 1959.

BETWEEN

J. Prasad, Labour and Industrial Consultant and Taxation Expert, Banerjee Buildings, New Colony, Ram Ganj, Ajmer—Applicant.

AND

Resident Manager and Agent, Bikaner Gypsums Limited, Rani Bazar, Bikaner—Opposite Party.

In the matter of Reference I. D. No. 245 of 1958.

Shri J. Prasad applicant in person.

Dr. Anand Parkash for the Opposite party.

AWARD

This is a petition under Section 33A of the Industrial Disputes Act.

2. The petitioner complains, that the opposite party, Bikaner Gypsums Limited, contravened the provisions of Section 33 of the Industrial Disputes Act, that the petitioner was a Labour Adviser, and was a monthly rated employee, that, while making enquiries, he was asked to twist matters, and give findings contrary to facts on record, that he declined to resort to such object practices, that his services were terminated, that he was not paid wages for one month, though he was entitled to recover the same, that the termination of service is without justification, and that the workman should be granted suitable relief.

3. The contention on behalf of the management is, that there is no violation of Section 33, that, in any case, the petitioner is not a "workman", as defined in the Industrial Disputes Act, that the petitioner is not a protracted workman, that the petitioner's appointment was purely temporary, that his term was not extended, and that he is not entitled to any relief.

4. The issues, that arise for determination, are:—

- (1) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (2) Whether the petitioner is a workman?
- (3) Whether there is termination of service of the petitioner, and, if so, is it lawful and justified?
- (4) To what relief, if any, is the petitioner entitled?

Issues No. 1—4.

5. This matter came on before me on 19th August 1959, and both parties presented a compromise in terms of Ext. M/1, and they are set out below:—

"The complainant has agreed to withdraw the complaint, and herewith withdraws the same. The management has agreed to pay him the earned wages amounting to Rs. 80/- and travelling allowance amounting to Rs. 70/- (in all Rs. 150/- only) in full and final settlement of all his claims, and the complainant will not seek re-instatement or other relief from the management".

"Received cheque No. PNW 263272 dated 19th August 1959 from Dr. Anand-prakash on behalf of Bikaner Gypsums Ltd., Bikaner in full and final settlement of my claims.

(Sd.) J. PRASAD,
20th Aug. 1959."

Both parties pray, that an order may be passed in terms of the said compromise.

6. The compromise is accepted.

7. In the result, an award is passed in terms of the compromise as set out above.

(Two pages)

21st August, 1959.

E. KRISHNA MURTI,
Central Govt. Industrial Tribunal,
Delhi.

[No. LRIL/23(24)/59.]

New Delhi, the 11th September 1959

S.O. 2073.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, on the applications of workmen employed in Bikaner Gypsums Ltd., Bikaner.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri E. KRISHNA MURTI, Central Govt. Industrial Tribunal.

12th August, 1959

APPLICATIONS U/S.33A OF THE INDUSTRIAL DISPUTES ACT, 1947.

- | | |
|--|---|
| I.D. No. 356 of 1959, Between Shri Prem Singh
S/o Noor Singh, T. No. 645 | } |
| I.D. No. 360 of 1959, Between Shri Sher Khan
S/o Fate Khan, T. No. 266 | |
| I.D. No. 361 of 1959, Between Shri Puran S/o
Bishni Ram, T. No. 1254. | |
| I.D. No. 362 of 1959, Between Shri Radhey Shyam
S/o Pannalal Sharma | |
| I.D. No. 363 of 1959, Between Shri Heer Singh
S/o Megh Singh, T. No. 1233 | |
| I.D. No. 365 of 1959, Between Shri Gopal Singh
S/o Mool Singh, Driver B | |
| I.D. No. 366 of 1959, Between Shri Nawla Ram
S/o Purkha Ram, T. No. 737 | |
| I.D. No. 371 of 1959, Between Shri Rupa Ram
S/o Baxa Ram, T. No. 356 | |
| I.D. No. 374 of 1959, Between Shri Hussainia
S/o Farid Khan, T. No. 532 | |
| I.D. No. 377 of 1959, Between Shri Ganpat Singh,
T. No. 348 | |
| I.D. No. 378 of 1959, Between Shri Girdhari S/o
Rukmanand, T. No. 1344 | |
| I.D. No. 391A of 1959, Between Shri Gulab
Singh, Sampler, T. No. 371 | |
| I.D. No. 392 of 1959, Between Shri Umed Singh,
Shot Flier— | |

C/o Gypsum Mine
Workers' Union, P.O.
Jamsar (District
Bikaner)

Applicants

AND

The management of M/s Bikaner Gypsums Ltd, Rani Bazar, Bikaner—*Opposite Party*

In the matter of Reference No. 245 of 1958

Applications U/S 33(2) of the Industrial Disputes Act, 1947 in the matter of Reference No 245 of 1958

O P. Nos. 15 to 28 of 1959

Between Bikaner Gypsums Limited, Rani Bazar, Bikaner
and Applicant (Common).

- Shri Purn S/o Vishnu Ram, Ticket No. 1254, Jamsar (O P No. 15 of 1959)
- Shri Prem Singh, T. No 645, Jamsar (O P No 16 of 1959)
- Shri Gulab Singh, Sampler, Jamsar (O P. No 17 of 1959)
- Shri Gopal Singh, Driver 'B', Jamsar (O P No 18 of 1959)
- Shri Rupa Ram, Chowkidar, Jamsar (O P No 19 of 1959)
- Shri Ganpat Singh, Jamsar (O P. No. 20 of 1959)
- Shri Hoosaina S/o Farid Khan, Mazdoor, T. No 532, Jamsar (O P. No 21 of 1959)
- Shri Umed Singh, Shot Firer, Jamsar (O P No 22 of 1959)
- Shri Sher Khan, Mate, Jamsar (O P No. 23 of 1959)
- Shri Radhey Shyam, S/o Shri Pannalal, Jailwell, Bikaner (O P No. 24 of 1959)
- Shri Heer Singh S/o Magga Singh, Ticket No 1233, Bikaner Gypsums Ltd., Bikaner (O P. No. 25 of 1959)
- Shri Shri Girdhari S/o Ruknandan, Ticket No 1344, Jamsar (O P. No. 26 of 1959)
- Shri Naula Ram, Mazdoor, Ticket No 737, Jamsar (O P. No. 27 of 1959)
- Shri Nand Singh, Supervisor, Jamsar (O P No 28 of 1959)

—*Opposite Parties*

Dr Anand Parkash—for the management.

Shri Y R Bhasin—for the workmen.

AWARD

These are all several petitions arising under Section 33A and 33 of the Industrial Disputes Act

2 ID Nos 356, 360-363, 365, 366, 371, 374, 377, 378, 391A, and 392 of 1959 are all petitions by certain workmen employed in Bikaner Gypsums Limited under Section 33A of the Industrial Disputes Act. Correspondingly the management have filed O P No 16, 23, 15, 24, 25, 18, 19, 27, 21, 20, 26, 17, and 22 of 1959 under Section 33 of the Industrial Disputes Act, for approval of the action taken by them against the aforementioned petitioners. The allegations in the several petitions are practically identical.

3 The allegations on behalf of the several petitioners in the petitions under Section 33A are to the effect, that they were accused of misconduct alleged to have been committed by them in connection with a strike, that the said charges are untenable, that they were also kept under compulsory suspension, that ultimately their services were terminated that the punishment awarded by the opposite party is illegal, and that suitable reliefs should be given to the several workmen.

4 The management plead, that there is no contravention of Section 33 of the Industrial Disputes Act that there has been no alteration in the conditions of service to the prejudice of the applicants, that from 1st October 1958 the Gypsum Mine Worker's Union, Jamsar precipitated a strike in the mines, that it was not only illegal and unjustified but was also carried on with violence, that there was damage caused by the workmen, that charge-sheets were issued to the several applicants, that they were also suspended pending completion of the enquiry, that a fair and proper enquiry into the charges was made in accordance with the Standing Orders, that the charges, proved against the applicants, were grave, and rendered them unfit for continuing in service, that applications for approval

of the action taken had been made, and that the allegations of victimisation are all wrong.

5. In the petitions filed under Section 33(2) of the Industrial Disputes Act, the management allege, that from 1st October 1958 the Gypsum Mine Worker's Union, Jamsar precipitated a strike in the mines, that it was not only illegal and unjustified, but was carried on with violence, that the several opposite parties not only participated in the strike, but also were guilty of insubordination, by acting in the manner alleged in the petitions, that they were also suspended pending enquiry, that an enquiry into the charges against the workmen was held, that, after fair and proper enquiry, it was found, that the charges were established, that the several workmen were found guilty of misconduct, that some of them were dismissed from service, and that some of them were discharged in accordance with Standing Orders 23(1), and that the management's action may be approved.

6 The plea on behalf of the several workmen is, that the strike was resorted to because the management were refusing to fulfil the just and legitimate demands of the workmen, that it was legal, peaceful, and justified, that it was not violent, that the several allegations about the use of violence are untrue, that there was no kind of insubordination, or dis-obedience of orders, that the charges against the workmen are not true, that the enquiry was conducted in a partial manner, that no opportunity was given to the workmen to substantiate their defence, that the Enquiry Officer was prejudiced against the workmen, that the findings are not impartial, that the petitions for approval were filed long after the petitions under Section 33A had been presented before the Tribunal, that the applicants had not been paid one month's wages before applying for approval, that the applicant has contravened the provisions of Section 33, and that no approval should be given to the action of the management.

7. The issues, that arise for determination in these proceedings, are:—

- (1) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (2) Whether the several petitions filed under Section 33A of the Industrial Disputes Act are maintainable?
- (3) If they are maintainable, whether the termination of service of the several workmen is lawful and justified?
- (4) Whether such termination is wrongful and illegal, as alleged by the workmen?
- (5) Whether approval should be given to the action of the management?
- (6) To what relief, if any, are the workmen entitled?

Issues Nos. 1 & 2.

8. All these several applications have been heard together at the request of parties, and are disposed of by a common judgment. The common evidence has been recorded in I.D. No. 363 of 1959 and O. P. No. 25 of 1959.

9. The workmen concerned in these several petitions were employees of Messrs Bikaner Gypsums Limited working in the mines at Jamsar. As their services were terminated, they filed the several applications under Section 33A of the Industrial Disputes Act, praying for re-instatement, and for other reliefs.

10. The first contention, that has been raised on behalf of the management is, that these several applications filed under Section 33A are not maintainable because there is no contravention of Section 33 in any manner whatsoever. It may be noticed, that in the applications filed on behalf of the workmen, it is alleged, that there has been a contravention of Section 33(1)(b) of the Act, that the management should have approached the Tribunal for express permission in writing before taking the arbitrary action of terminating the services of the several workmen, and that, therefore, there is a contravention of Section 33. These applications have all been filed pending a reference, involving the questions of wages, bonus, etc. It has not been contended before me by Shri Bhasin, representing the workmen, that the alleged misconduct with which the several persons were charged, are connected with the dispute in the main reference. On the contrary, a perusal of the several applications and the evidence would show, that the charges were framed in connection with certain happenings during the period of the strike, which admittedly went on in the mines from 1st October 1958. It is stated before me in the course of arguments, that the strike was for about two months. I fail to see how the misconduct alleged in connection with the conduct of the strike, can be said to be connected with the dispute in the main reference between

the parties. It is only in case of punishment for misconduct connected with the dispute, that the provisions of Section 33(1)(b) can apply, and that express permission in writing of the authority before which proceeding is pending is necessary to be obtained. In case of punishment for misconduct not connected with the dispute, we have to rely upon Section 33(2). That provides, that approval of the action taken by the employer, should be obtained from the authority before which the dispute is pending, in case of punishment for misconduct not connected with the dispute. No express permission in writing is necessary in a case like this. Therefore, the contention in the several petitions filed under Section 33A, that there is a contravention of Section 33, because express permission in writing was not obtained from the Tribunal under Section 33(1)(b), is not sustainable.

11. However, the plea raised on behalf of the workmen is, that still there is a contravention of section 33 because the management did not comply with the provisions of Section 33(2). Before dealing with this contention, I must notice the objection raised on behalf of the management, that the workmen cannot be permitted to say, that there has been a contravention of Section 33, because of non-compliance of Section 33(2). It is urged before me, that specifically it is mentioned in the several petitions, that there is contravention of Section 33 because the provisions of Section 33(1)(b) had not been complied with, and that the workmen should not now be permitted to shift their ground and put forward the contention, that the provisions of Section 33(2) have not been complied with. I am not impressed with this argument. The mere fact, that an incorrect section is mentioned in the petitions filed under Section 33A, cannot be allowed to stand in the way of acceptance of the workmen's contention. It has been repeatedly held, that the workmen's claim cannot be dismissed on the ground of mere technicalities. We must remember in this connection, that the persons, conducting these proceedings, are not trained lawyers, and we have to test the validity thereof not on mere technicalities, but on broad considerations. In my opinion, the contention, that there is a contravention, because the requirements of Section 33(2) have not been complied with, must be permitted to be raised, and the workmen cannot be shut out from raising this plea simply on the ground, that there is no reference to it, but only to Section 33(1)(b).

12. Taking Section 33(2) into account, it is perfectly clear, that there is contravention of the provisions of this section. The said section lays down, that, in case of punishment for misconduct, not connected with the dispute, no workman shall be discharged or dismissed unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending, for approval of the action taken by the employer. Firstly, it should be seen, that the several orders of termination of service were passed in January and February, 1959. The applications for approval of the action of the management were filed only after the aggrieved workmen had presented petitions under Section 33A of the Industrial Disputes Act for redress. These applications were presented in March, 1959, and the applications for approval came in only towards the end of April, 1959, subsequent to the filing of the applications under Section 33A. The workers have gone to the extreme length of contending, that the petitions under Section 33A must be straight-away allowed, without any further consideration because the management had failed to file petitions for approval under Section 33(2) as a condition precedent, to the action taken by them. It is not necessary to go so far as to hold, that the action of the management becomes automatically invalid, when it is not supported by an application under Section 33(2). As has been pointed out in several decisions, the application for approval can come in only after action is taken by the management. But what is important to note is, that the provisions of Section 33(2) are clear, and it is stated that no such workman will be discharged or dismissed unless an application is made by the employer for approval. I am unable to hold, that the provisions of this section have been complied with on the facts of this case, when the applications were filed for approval nearly three months after the action taken by the management, and only after the petitions had been filed under Section 33A.

13. The next circumstance to be noted is, that the proviso to Section 33(2) also lays down, that no workman shall be discharged or dismissed unless he has also been paid one month's wages. There is no satisfactory proof of the fact, that such wages were paid though it is alleged that there was an offer to pay the same. In the several orders, terminating the services of the workmen, they were asked to vacate their quarters. In my opinion, Section 33(2) of the Industrial Disputes Act applies to the facts of this case, and the provisions of the said section have not been complied with by the management. It follows, that there is a contravention of Section 33 of the Industrial Disputes Act. The several petitions filed under Section 33A are maintainable.

14 The next contention, that has been raised on behalf of the management is, that there is no contravention, because there is only termination of service, and that discharge simpliciter, in accordance with Standing Orders, does not contravene Section 33(2). Emphasis is laid on the fact, that Section 33(2) deals with punishment by way of discharge or dismissal, and it is argued that when the workmen's services have been simply terminated in accordance with the standing orders, that section cannot apply. It is urged, that in the petitions relating to,—

Shri Puran	..	O.P. No. 15.
Shri Prem Singh	.	O.P. No. 16.
Shri Gulab Singh		O.P. No. 17.
Shri Gopal Singh	...	O.P. No. 18.
Shri Rupa Ram	..	O.P. No. 19.
Shri Ganpat	...	O.P. No. 20.
Shri Hussainia	..	O.P. No. 21.
Shri Umed Singh	..	O.P. No. 22.
Shri Sher Khan	.	O.P. No. 23.
Shri Girdhari	...	O.P. No. 26.
Shri Nawla Ram	...	O.P. No. 27.

there is only discharge simpliciter, that the services of the several workmen were terminated in accordance with the standing orders, and that such simple termination of service does not amount to punishment, whether by way of discharge or dismissal in accordance with Section 33(2). I am unable to uphold this contention. A perusal of the entire record, including the enquiry proceedings will show, that the workmen were charged with misconduct. The alleged simple termination of service is merely a camouflage for dismissal. The workmen were sought to be proceeded against on the ground of their being guilty of misconduct during the period of strike. It is alleged, that they were guilty of riotous and disorderly behaviour, and various acts of violence. It is important to note, that the termination is alleged to have taken place because of certain acts of misconduct, which the workmen are said to have committed. In such circumstances, the termination amounts to dismissal. In all the several cases, there is a stigma, or disqualification, or taint of being unfit for service, attached to the order of termination. In my opinion, the various orders, even though they purport to be orders for termination of service, amount to dismissal of the workmen for alleged misconduct. Section 33(2) does apply to the facts of the several petitions mentioned above, and there is a contravention of the same.

15. Another argument put forward on behalf of the workmen is, that there is no such clause in the standing orders, as clause 23(i) and that in this view also there is no discharge simpliciter. On behalf of the workmen Ext. W/4 has been filed as a copy of the standing orders, and there is no clause like 23(i). It is however urged on behalf of the management, that this copy is incorrect, and that no reliance can be placed upon the same. It is however forgotten that Ext. W/4 was received from the Regional Labour Commissioner, Jabalpur, and Ext. W/4A is the letter dated 19th February 1959, forwarding the copy of the standing orders. The management however went so far as to say, that there had been tampering with the standing orders. Thereupon the original standing orders, that had been certified, were sent for, and Ext. W/3B is the copy of the same. These Standing Orders were certified by the Regional Labour Commissioner, Nagpur. Ext. W/3 dated 27th November 1954 is a copy of the letter of the Regional Labour Commissioner, Nagpur, intimating the certification of the draft standing orders. Ext. W/3A is a copy of the order dated 27th November 1954 passed by the Certifying Officer certifying the standing orders. It is important to note, that, even in Ext. W/3B the standing orders that were originally certified, there is no provision corresponding to 23(d). The contention on behalf of the management, that in the several applications referred to above, they merely passed orders of discharge simpliciter, that no punishment as such was inflicted on the several workmen, that such action was taken in accordance with the standing orders which govern the service conditions of the employees and that, therefore, there has been no contravention under Section 33A are maintainable.

16. All circumstances considered, I am of opinion, that there has been a contravention of Section 23(2) by the management, and that the several petitions under Section 23A are maintainable.

Issues No. 3 & 4

17. The question next is with reference to the merits of the contention raised by the several workmen characterising the action of the management as illegal. According to the case of the management, the strike, that went on from 1st October

1958, was not only illegal and unjustified, but was carried on with violence. There was large scale intimidation or willing workers, who wanted to work. The mining operations of the Company were obstructed on a large scale. The several workmen involved in the several petitions, incited employees, while within the precincts of the mines to strike work. They also actively obstructed the mining operations. They threatened and intimidated the employees within the mines. They also indulged in riotous and disorderly behaviour, and used violence against the other workers. Due to the above action, damage was caused to the work in process and to the property of the company. It is alleged, that the several workmen were thus guilty of wilful insubordination by acting in this manner.

18 Orders of termination were passed between 5th February 1959 and 13th February 1959. I shall first deal with the cases of the eleven workmen mentioned above, with the exception of Messrs Gulab Singh, Ganpat, Umed Singh, and Hussainia. So far as these 7 workmen are concerned, the charge sheet, that was served against each of them, is practically identical. Ext. M/1 is the charge sheet, that was served on Shri Heera Singh, and it is stated before me, that similar charge-sheets were preferred against the 7 workmen referred to above. The charges are, that the said workmen were inciting the workmen to strike work that they did not confine themselves to doing so by persuasion only, that they threatened those workers who wanted to work, with dire consequences, that they stopped the willing workers from proceeding to their duty spots that they obstructed wagon loading operations, and that they lay down before the shovels and dumpers, and prevented the carrying on of work in the mines. Attention is drawn to the provisions of the standing orders relating to misconduct. It is pointed out, that, according to the standing orders, striking work, either singly or with others, in contravention of standing orders, or inciting any employees to strike work within the precincts of the mines, causing damage to work in process, or to any property of the company, threatening or intimidating any employee within the mines, are acts of misconduct. Attention has been drawn to standing orders 21 in this connection. The several employees were suspended forthwith. The workmen denied the several allegations against them.

19 According to the evidence of the witnesses on behalf of the management at the enquiry held by the management, they went round the mines during the period of strike. The several petitioners obstructed the willing workers from doing work. They stood before the dumpers and the shovels, and did not allow them to work. They threatened the willing workers. They were also seen inciting the willing workers, who were coming on duty in the morning, not to work. Such workers were stopped forcibly, and were told, that they would meet with dire consequences if they worked. As a result of this mining and loading operations suffered. The workmen were in a riotous mood in these days. This is the substance of the evidence of the several witnesses on behalf of the management. It is first argued on behalf of the workmen, that the charge sheets as well as the evidence are too general and vague, and that the names of the persons, threatened or intimidated, have not been disclosed. There are no specific details in regard to the charges. There is no specific mention of what the threats uttered were or what were the acts of intimidation, or which particular workmen were obstructed in their work, or what were the dire consequences that were threatened. The argument that a strike was in progress, that a large number of workers were involved, and that it was impossible to supply all the details, is not sufficient to account for the omission. In this connection I may refer to the evidence of Shri W. G. Jaiaram Mudaliar, Assistant Superintendent of Police. According to him, he was A.S.P. Rural, Bikaner in October, 1958, and was at Jamsar at the time of the strike in the Gypsum Mines. He was deputed for maintenance of law and order. He is to daily patrol the area of the mines. There were some workers, who wanted to work, and some who did not want to work. Some of them, who wanted to work, started working, but were obstructed by others. They obstructed by shouting the usual slogans. When the labourers were loading the wagons, other workers stood in front of the wagons, so that no gypsum could be put in the wagons. The Magistrate was at the spot, and he and the witnesses asked the workers to allow the willing workers to work. They listened to the Magistrate sometimes, but they generally did not allow them to work. Messrs. Shukla Gulab Singh, Umed Singh, Jagdish, the Secretary, Vyas, and Rahim Shah, the President, were there. Some cases were registered against the strikers, but all the prosecutions were withdrawn at the instance of the Rajasthan Government. When this witness was asked a definite question, as to whether there was violence, the witness's answer was, that there was violence in the sense that the workers bodily obstructed other workers, and pulled them aside. Women used to lie down, and babies in arms were thrown across when gypsum was being removed. Babies used to be put in front of the shovels or basin. Some of the contract labour wanted to load the wagons. Naturally

the strikers prevented them from loading. With reference to the names, he gave as those of the persons, who were leading the strikers, the witness deposes, that he meant to say, that these were shouting slogans, leading the workers, and giving them directions as to what should be done. Messrs Gopal Singh, Umed Singh, Tulsī Ram, Shukla, and Mukerjee were catching hold of the shovels. He also states, that there is a rival union in the mines. W/2 is Shri Shiv Raj Khalla, who conducted the enquiry, and submitted his findings to the Manager.

20. The contention on behalf of the workmen is, that even taking the evidence that has been adduced on behalf of the management at its face value, it is much too general and, in any case it cannot be held, that the workmen are guilty of misconduct, when it has not been proved, that there was any act of violence. From the evidence of the management's witnesses, the best, that is proved, is, that some of the workmen were the leaders, that they shouted slogans, that they prevented the willing workers from working, and obstructed working of the dumpers, and shovels, and loading of wagons, by placing themselves before them, or throwing babies across. There is no satisfactory evidence to prove, so far as the above-named seven men are concerned, that they assaulted anybody or that they were guilty of any other acts of violence. Even according to the evidence of the A.S.P., only Gopal Singh among these seven is referred to as concerned in the catching hold of Shovels and moving people aside. It is well established, that the workmen have got the right to strike. The question, whether the strike now in question was legal or illegal, or whether it was justified or unjustified, has not been canvassed in this proceeding. In the Book by Ludwig Teller, Labour Disputes and Collective Bargaining, Volume I, page 236, it is stated as follows:—

"The word 'strike' in its broad significance has reference to a dispute between an employer and his workers, in course of which there is a concerned suspension of employment. As a form of labour activity it is rarely carried on without the concomitants of picketing or boycotting. Because it is an expensive weapon, the strike is generally labour's last resort in connection with industrial controversies. For the same reason, and for the additional reason that it is many times difficult to get men in sufficient numbers to strike, the practice of picketing has in the last decade become a much more widely employed form of labour activity." The contention on behalf of the workmen is, that in every strike there is an element of obstruction and prevention of work, that naturally the striking workers try to prevent others from working, and that strikes are also accompanied by attempts to prevent normal business being done by the management. In other words, it is urged, that picketing is a form of labour activity in connection with strike, that such activity is being widely employed, that there is nothing illegal about it, and that, therefore the action taken by the management against the several workmen is illegal. In the Book, referred to above, it is observed at page 332, that excessiveness is held to affect the legality or otherwise of picketing. The following observations occur at page 332:—

"Picketing accompanied by violence, obstruction of the premises picketed (as in mass picketing), or false, including or misleading banners, is accordingly held to be illegal everywhere."

On behalf of the management reliance has been placed upon the case of Merrick & Co. reported in Volume 18, Labor Cases, page 78, 132. It is laid down at page 78, 133 that picketing is designed to give to the laboring man a method of drawing the attention of the public, by advertising through picketing, that there is a dispute between the management and labour. There is nothing that the law says is improper in the discharge and the exercise of the right of picketing. It is one of the real tools in the hands of labour to help to bring about the granting of what rightfully belongs to them. It is further observed, that, as labour have a right to take every legal means to enforce their rights, so too the management are given by law the same security to exercise and perform and enjoy their rights. Picketing is a qualified right and it must be free from, intimidation, coercion, duress, fraud, threats and violence, and it must not be exercised in any way so as to affect the property right of the employer. In the decision in the Punjab National Bank (1953 LAC 1), it is observed at page 16, that mere participation in the strike does not give the employers the right to dismiss a workman. If however the particular workman, who joined the strike, is guilty of violent acts, or of subversive activities, such as obstruction or attempting destruction of employer's property, or coercion on loyal employees, the decision would be different, and in such circumstances the workman will be individually dealt with, and the particular workman should be apprised of the charge against him, and should be given a chance to have his say in the matter before he can be

dismissed. Before a workman can be dealt with, the charges must clearly specify the subversive acts, or acts of violence, alleged against the workman. The employer can justify before a Tribunal dismissal only on the ground on which he purported to dismiss him, and not on a ground different from it. In the case of Swadeshi Industries Ltd. (1955 LAC 266), it was held, that it was open to the management to terminate the services of the strikers, if they were guilty of any acts of violence, or subversive activities, during the strike. But, in exercising its power, the management must not act vindictively or capriciously.

21. Now turnig to the case of the several workmen, there is room for complaint, that the charges are vague, and not specific. The witnesses say in a general way, that there were threats, intimidation and obstruction to peaceful work. Who exactly were the persons so obstructed or threatened is not clear from the record. The mere statement, that the workers shouted slogans and uttered threats, that if the willing workers did work, they would suffer dire consequences, is not sufficient to prove, that the workers were guilty of acts of violence. There is no doubt, that there was obstruction to the normal function of the shovels and dumpers and movement of wagons. Even taking the evidence, as adduced on behalf of the management, there is no satisfactory proof, that each of the several workmen whose names are mentioned above, are guilty of acts of violence or subversive activities or of misconduct as alleged in the charge sheets. Mere vague and general allegations are not sufficient to hold them guilty of misconduct.

22. Apart from this, I shall assume, that the several workmen are guilty of the acts alleged against them. Even then there is no sufficient reason for putting an end to their services. At best it can be said that they were guilty of picketing. It is not proved, that they were guilty of damaging the company's property, or of assaulting any worker, or of indulging in any other physical acts of violence. The punishment of termination of service is much too harsh and excessive, and is not called for in the circumstances.

23. Another fact to be noticed is, that the Standing Order Section 22(a) is in the following terms:—

“An employee shall be liable to be removed from service, if he has been guilty of misconduct.”

Section 22(b) is as follows:—

“The company will give the employee the following punishment before taking action under clause (a) of this order.

- (i) A censure or warning, or
- (ii) Suspend him without pay for a period not exceeding four days.
- (iii) Withhold the scale of increment.
- (iv) Reudcc his pay, or demote him.”

Thus even the Standing Orders themselves provide for a lesser form of punishment before resort is had to termination of service under clause 22(a). It cannot be held, that this Standing Order has been observed either in spirit or letter. Taking all circumstances into consideration, and the evidence, that has been adduced on behalf of the management, I am of opinion, that the finding arrived at about misconduct is baseless and that the termination of service of 7, the workmen, referred to above, is neither lawful, nor justified.

24. I shall next deal with the case of the four other workmen, Messrs Gulab Singh, Ganpat, Umed Singh and Hussainia. So far as these four workmen are concerned there are objections against their dismissal similar to those against the other seven workmen referred to above. If the matter stood there, they also cannot be held to be guilty of misconduct in the same way as the other seven, and the punishment of termination would also be harsh and excessive in their case also. But the contention of the management is, that in the case of these four workmen they are guilty of assaulting workers and other physical acts of violence, and that their cases must be considered separate from the cases of the other seven. I shall deal with the cases of these four workmen separately.

25. First taking the case of Gulab Singh, it is alleged in Ext. M/16, that he indulged in riotous and indecent behaviour on 1st, and that he assaulted some of the willing workers. Ext. M/17 is a copy of the explanation, denying the same. Ext. M/18 is the statement of Shri Datta, who is a mechanical Engineer in the Mines. His evidence is, that Shri Gulab Singh was an active member among the strikers. From the very beginning he began to obstruct the workers on the colony road, and also at loading point No. 8. He was found in a fighting and

riotous mood. He caused heavy loss to the company. The evidence of Shri Choudhry, Quarry Foreman, is, that Shri Ganpat Singh assaulted and threatened so many workers on duty. Shri Sehshadri, the Assistant Mines Manager, does not say anything about the assault. The evidence of Shri Ghulam Shah, Labour Mate, is, that Messrs Gulab Singh, Narpat Singh, and Ganpat Singh, and others came there uttering threats, and obstructed wagon loaders. They injured Shri Khaju Shah on the 1st, and on the 3rd Shri Mazam Shah. Shri Radhey Shayam injured them with a lathi on the 1st and 3rd, and the rest were beating them. In the Enquiry Officer's report, Ext. M/19, it is stated that case. The evidence of Shri Kalha, who conducted the enquiry against Shri Gulab Singh was absconding, and never appeared for enquiry in spite of notices issued to him. He was alleged to have absconded because he was involved in a criminal case. The evidence of Shri Kalha, who conducted the enquiry against Shri Gulab Singh is relevant in this connection. He deposes, that he prepared order sheet in almost all the cases, but there is no order sheet in the case of Shri Gulab Singh. There is no order passed by him to the effect that he proceeded against Shri Gulab Singh *ex-parte*. He next states, that this workman was absconding because of cases against him by the police. He could not be served the notice, Ext. M/11. He proceeded against him *ex-parte* according to his discretion. He admits, that he did not send any registered notice. It will thus be seen, that the enquiry against Shri Ganpat Singh was conducted *ex-parte*. No doubt, the explanation is given, that he was absconding, and, therefore, no notice could be served upon him. Admittedly no registered notice was sent. The enquiry Officer was not justified in proceeding against him *ex-parte* in the absence of such a notice. More important still the criticism has been levelled, that the most important witnesses were the two persons, that were assaulted, Messrs Khaju Shah and Mazam Shah but that their evidence is not forthcoming at all. It may be noticed, that Shri Gagan Dev, a Shovel Operator, has nothing to say about the assault. So far as the evidence of Shri Gulam Shah is concerned, it is in evidence that Messrs Ghulam Shah, Khaju Shah and Mazam Shah were members of the rival union. The finding of the Enquiry Officer, that Shri Gulab Singh is guilty of assaulting persons, and acts of violence, is baseless. The Enquiry that was held against him, is not a fair enquiry. The order of termination cannot be permitted to stand, and it must be set aside.

26. Shri Ganpat Singh.

The charge sheet against this workman is Ext. M/32. It is stated therein, that he assaulted some willing workers. Ext. M/33 is the explanation, denying the charge. Ext. M/34 is the order sheet, regarding the charge. Shri Mazam Shah was one of the witnesses examined, and he stated, that Shri Ganpat Singh along with Shri Prem Singh and five others, whose names he does not know, but whom he can identify, came, and Shri Padhey Shayam injured him with lathi, which he brought with him, on his left leg near the knee, and on the "nali" of the same leg. Messrs Fazal Shah, Ghulam Shah, Rakhu Shah, and Faiz Shah were there. Messrs. Ganpat and Prem Singh beat him with slapping, and by legs on the face and back. Messrs Ghulam Shah, Rakhu Shah, and Faiz Shah saved him. Then he reported the case to the police. There is a note by the Enquiry Officer that there was no cross examination by Shri Ganpat Singh. There is a further note, Ext. M/12, in a different ink, that Shri Ganpat Singh refused to sign the statement, and that the statement was read over to the witness in the language understood by him. Such notes are found in other statements, namely, Exts. M/13 and 14. The evidence of Shri Ganpat Singh is Ext. M/29H. According to his evidence, the Gypsums Mine Workers went towards loading point No. 8 to see the loading workers, who were newly engaged. Messrs Jamal Shah, Faiz Shah, and Ghulam Shah, and others were taking work from new mazdoors. The witness asked them not to engage new mazdoors, but they did not care. Messrs Bansil Dhar and Jamal Shah ordered their mazdoors to beat him. They injured him, Radhey Shayam, Narpat Singh, Sunder Singh, and Umed Singh. This incident took place at about 10 A.M. After this the police came and also the Magistrate. He and others were sent to Bikaner Hospital. The witness says, that they were examined by the Medical Officer. He and others came back to Bikaner in an ambulance car. He along with Shri Radhey Shayam went to Bikaner Hospital, and X-Ray examination was performed. According to the evidence of the Enquiry Officer, in the case of Shri Ganpat Singh, on 7th January, 1959, he recorded the statements of some of the management's witnesses, after he had been examined. It is important to note, that Ext. 29H shows, that Shri Ganpat Singh was examined on 5th January, 1959. Messrs Mazam Shah and Ghulam Shah and others, whose statements are Exts. M/29A, 29B and 29C were all examined on 7th January, 1959, after Shri Ganpat Singh had been examined. Naturally Shri Ganpat Singh refused to cross-examine these witnesses, who were examined after he and witnesses

on his behalf were examined. The explanation is given by the Enquiry Officer, that Shri Ganpat Singh was examined out of turn because he wanted to go to Bikaner, and the Enquiry Officer obliged him. Shri Kalha however admits, that he had made no such note to that effect. The contention before me is, that Shri Ganpat Singh was not at all present at the time the statements of Shri Mazam Shah and others were recorded on the 7th. The fact, that Exts. M/12-14 are in different ink, leads to the conclusion that these were written later, and that the above-mentioned witnesses were examined during the absence of Shri Ganpat Singh. The evidence of Shri Kalha, to explain the difference in ink, namely, that there were 1 or 2 ink bottles, and that he was using one or the other, is not a convincing explanation at all. It is important to note, that none of the witnesses examined prior to 7th January, 1959, had a word to say about the assault by Shri Ganpat Singh against Shri Mazam Shah. Shri Bansidhar stated that he had assaulted one or two persons but no names were disclosed. It must be remembered that he was a member of the rival union. Ganpat Singh has been highly prejudiced by the manner in which the enquiry was held, which is not a fair and reasonable enquiry. On the other hand Shri Ganpat Singh has deposed, that he himself had been obliged to go to hospital, that X-Ray photograph was taken, and that he came back in an ambulance. The contention on behalf of the workmen, that the enquiry was so conducted in order to favour the rival union and its workers, is not without force. I find, that there is no case made out for termination of service of Shri Ganpat Singh, that he is not guilty of the charges levelled against him, and that the order of termination passed against him is unjustified and illegal.

27. *Shri Umed Singh*

Ext. M/42 is the charge sheet against him. In addition to the allegations of obstruction, etc., it is alleged, that he indulged in riotous and disorderly behaviour, inasmuch as he assaulted some of the willing workers on the 1st and 3rd instant. Ext. M/43 is his explanation, denying the same. Ext. M/44 is the report of the Enquiry Officer. According to the evidence of Shri Datta, one of the tyres of the truck belonging to the company was inflated, and Shri Umed Singh pulled down the Driver on 1st October, 1958. On other days, he did not allow the workmen to operate. The other witnesses, Messrs Sehshdari Chaudhry, and Faiz Shah, depose to the alleged obstruction to the peaceful carrying on of the work in the mines. What is important to note, is, that there is no evidence of any assault. Even the Enquiry Officer has not found him guilty of assaulting any individual person apart from alleged riotous behaviour. But however in the course of hearing before me, Ext. M/23H, the statements of Shri Ghulam Shah, has been relied upon by the management to prove, that Shri Umed Singh beat Shri Khaju Shah more than once on 1st October, 1958. But this is not spoken to by the other witnesses. The Dumper Driver, Shri Faqir Shah, stated in Ext. M/23I, that he did not see Shri Umed Singh at the time. It is also important to note, that the persons who are said to have been assaulted have not been examined to prove, that they were assaulted by Shri Umed Singh. The evidence of Shri Indar Singh, who was driving the Bulldozer, is, that he cannot say whether Shri Umed Singh was obstructing or not. The evidence, that has been adduced in support of the alleged guilt of Shri Umed Singh with reference to the alleged acts of violence, does not support the conclusion arrived at and the finding of guilt is baseless. His termination also is unlawful, and unjustified.

28. *Shri Hussainia*

The charge sheet against this workman is Ext. M/21 dated 14th October, 1958. The allegations therein are, to the effect that he not only obstructed and stopped willing workers from doing their duty, and proceeding to their work spot, but also that when the water trailer was plying to distribute water, he emptied all the water. Shri Hussainia coerced and intimidated the Driver near the P. Type quarters to come out of the driving seat, and snatched away the water distributing tins forcibly, and drained out about 900 gallons of water. Ext. M/22 is the explanation, denying the charge. Ext. M/23 is the enquiry report. Ext. M/24 is the order-sheet, and Ext. M/25 contains the Enquiry Officer's report. Ext. M/26 is the order terminating his service under Standing Order 23(i).

29. According to the evidence of Shri Datta, the Mechanical Engineer in Ext. M/23A, a tractor, which was used for pulling a water tanker, was stopped—Shri Hussainia caught hold of the driver, Shri Bachan Singh, by the neck, and snatched away the water container from the hands of the persons, who were engaged for distribution of the water. His behaviour was so furlous, that the Driver, along with his men, had to fly to the police station for help. Shri

Hussainia opened out the delivery valve of the tanker, and about 900 gallons of water was wasted. In cross examination by Shri Hussainia, Shri Datta stated, that he was standing at the time near the reservoir, and that the other companions were with him. There were other mazdoors, who were engaged on the tankers. He knows them by face, but not by name. The tanker was there for supplying water to the strikers and non-strikers also. Shri Bachan Singh is the driver of the truck, who deposes, that Shri Hussainia opened both pipes of the tanker, and also the delivery valve of the tanker. He further says, that Shri Hussainia came to beat him. He informed this to the Mechanical Engineer. According to the evidence of some of the other witnesses Shri Nawla pulled out the valve of the tanker, and wasted water, which was about 15 or 16 pots. The evidence of Shri Kerat Shah is, that he took one water container. Shri Nawla Ram was also there, but he only filled his pot. It is admitted by the witness, that Shri Bachan Singh was the truck driver. It has been argued on behalf of Shri Hussainia, that, according to the evidence of some of the Mazdoors, he removed one or two water containers and that he did not waste water, or open the delivery valve, so as to drain out all the water in the tank. I am not prepared to accept this contention. There is no sufficient reason to dis-believe the evidence of the Mechanical Engineer, who has deposed to the effect that Shri Hussainia forcibly snatched away the water container, and drained out approximately 900 gallons of water. I am satisfied, that the evidence of Shri Datta represents the truth. This draining out of water, a very much valued commodity in the desert, was a sheer act of vandalism, for which the workman cannot escape consequences, and cannot go unpunished. The order of termination of service passed against the workman is by no means harsh, but well deserved. I find, that the termination of service of this workman Shri Hussainia is lawful and justified, and that there are no grounds for interference with the same.

30. Radhey Shayam

I shall next deal with the cases of two workmen against whom orders of dismissal were passed. The charge sheet against him is Ext. M/37 dated 14th October, 1958. Apart from the general allegations against him, of inciting workers to stop work, threatening others with dire consequences and of intimidating them, the further allegation is that he assaulted some of the willing workers on the 1st and 3rd. In Ext. M/38 he denied the allegations against him. Ext. M/39 is the record of enquiry, and Ext. M/40 is the report of Enquiry Officer. The order passed by the management is Ext. M/41. In Ext. M/39A Shri T. Chaudhry deposes, that Shri Radhey Shayam was continuously inciting the workers from 1st to 7th. He obstructed loading and mining operations, and he was in a very riotous mood. He threatened the loyal workers, that in case they reported for duty, they would not escape from his clutches. He assaulted some of the loyal workers on the 1st and 3rd who were working on Quarry No. 8. The names of the persons assaulted are not disclosed. In cross-examination he deposed, that Shri Radhey Shayam assaulted a few people on 1st and 3rd, when they were coming to their duty in the morning. He along with Shri Sehshadri and Shri Datta were eye witnesses. In further cross-examination he stated, that Shri Radhey Shayam was carrying a stick with him, and misbehaving towards some of the loyal employees of the Company. This stick was about 4 feet in length. Shri Chaudhry stated, that Shri Radhey Shayam assaulted some of the loyal workers with lathi-charging and he was in a very riotous mood. The evidence of Shri Ghulam Shah, the Labour Mate, is, that on 1st October, 1958 when the strikers wanted the loyal workers, who were loading the wagons, not to do so, Messrs Rakhu Shah and Faiz Shah stopped the work, but Shri Khaju Shah did not stop the work. Thereupon Shri Radhey Shayam injured Shri Khaju Shah with a lathi. Shri Khaju Shah's knee was injured. Shri Hassan Shah was also injured at the left elbow. Messrs Hussain Shah and Faiz Shah saved him. Again on the 3rd Shri Radhey Shayam beat Shri Mazam Shah with a lathi. Messrs Shri Radhey Shayam, Ganpat Singh, Umed Singh, Gulab Singh and Narnat Singh were there. Shri Radhey Shayam wounded Shri Mazam Shah. Shri Khaju Shah reported to the police on 1st October, 1958 and Shri Mazam Shah on 3rd October, 1958. In cross-examination Shri Ghulam Shah admitted, that he had been charged by the police in a case filed against him by Shri Radhey Shayam, and that the case was pending. The evidence of Shri Sehshadri is, that Shri Radhey Shayam assaulted some of the willing workers. The evidence of Shri Datta, who is reported to have been one of the eye witnesses to the occurrence, is, that he informed the local police, that Shri Radhey Shayam was implicated in an assault case at loading point No. 8, and that details may be gathered from the police station. He definitely admits, that he had not seen personally the

assault. According to the evidence of Shri Datta, the union, to which the several workmen now in question belong, was formed in 1953, whereas the rival union the Mazdoor Sangh was formed in 1958. He says that Radhey Shayam obstructed willing workers from doing their duty. He also prevented Messrs Chaudhry and S. P. Mitra from proceeding to their work on the colony road in front of the police station on 1st October, 1958. In answer to a specific question put to Shri Datta, whether he had seen a lathi in Shri Radhey Shayam's hand at all places or at any place in the striker period, his answer was "No". He further admitted, that he saw Shri Radhey Shayam lying on a 'charpai' at Jamsar Police Station, but he does not know, whether Shri Radhey Shayam was sent to the hospital. He admits, that he had seen a bandage round one of Shri Radhey Shayam's hands. In answer to a further question, whether Shri Radhey Shayam had misbehaved towards him, he said, that he had caught hold of Shri Chaudhry, Foreman. Even on the evidence of the witnesses examined on behalf of the management, it is not at all possible to come to the conclusion, that Shri Radhey Shayam is guilty of assaulting the workers, whose names are mentioned by Shri Ghulam Shah. I have already referred to the fact, that Messrs Khaju Shah and Mazam Shah were examined in the case of Shri Ganpat after other witnesses had been examined. It is a matter of note, that, according to the evidence of Shri Jai Ram Mudliar, there was a rival union in the mines. There were two cross cases, in which two persons complained one against the other. Messrs Faiz Shah, Jamal Shah, Bansi Dhar, Chhotu Khan, Ghulam Shah, and Ghulam Shah No. 2 were members of the rival union. They were accused in the complaint filed by Shri Radhey Shayam in F.I.R. No. 19, dated 3rd October, 1958. In F.I.R. No. 20, dated 1st October, 1958 Shri Khaju Shah is the complainant against Shri Radhey Shayam, R. C. Shukla, Baij Nath, Prem Nath, Ghulam Singh, Narpal Singh etc. The accused in F.I.R. No. 19 may have been working at loading point No. 8, but he cannot say. He administered first aid to Shri Radhey Shayam at the police station, and sent him to the hospital. The witness denies, that he refused to register the complaint preferred by Shri Radhey Shayam. On the contrary, he registered the case as soon as Shri Radhey Shayam came to the police station. The evidence of Shri Kalha is, that he filed criminal cases against Shri Radhey Shayam and Shri Puran because they attacked him on 11th July, 1958. On the evidence adduced on behalf of the management, it is not possible to reach the conclusion about Shri Radhey Shayam having assaulted any of the workers. The fact, that he also was injured, and that he filed criminal cases against the workers of the rival union, cannot be ignored. It may be that there was some altercation in which he received the injury. It has however not been proved, that he was the aggressor, and that he intentionally assaulted other workers. It is not possible to exclude the inference that he was the victim of an assault by the members of the rival union. The charge against him of misconduct cannot be sustained on the evidence and the finding of the Enquiry Officer is baseless. His dismissal also is neither lawful nor justified.

31. *Shri Heer Singh.*

Ext. M/1 is the charge sheet against him, and Ext. M/2 is the explanation. The order sheet is Ext. M/3. The record of enquiry is Ext. M/4. Ext. M/5 is the report of the Enquiry Officer, and the order of dismissal is Ext. M/6. This workmen's case is similar to that of Messrs Rupa Ram, Puran, etc., and there are allegations of a general nature in the charge sheet, and no specific instances are given. There is no mention of the names of the persons, who are said to have been incited, threatened, or intimidated. There is no satisfactory proof of what was obstructed, and when, and what was the damage that was caused. The mere use of the words "dire consequences" does not advance the case any further. The dismissal of the workman straight-away is contrary to Standing Order 22(a) and (b), which shows, that other lesser forms of punishment are contemplated before dismissal. The order of dismissal cannot be up-held, and it must be set aside.

32. *Nand Singh (O.P. No. 28 of 1959).*

There is only a petition against him under Section 33(2), of the Industrial Disputes Act, and he has not filed a petition under Section 33A of the Act. According to the allegations in the petition filed on behalf of the management, he was a Supervisor, working in the Mines. The opposite party, i.e. Shri Nand Singh, not only participated in the strike, but incited employees within the precincts of the Mines to stop work. He obstructed within the mines, and threatened and intimidated employees. He indulged in riotous and disorderly behaviour, and used violence against the other workers. He caused damage to the Company's property, and was guilty of wilful insubordination by acting in the above manners. A charge sheet was issued against him on 14th October, 1958. The charge sheet contains

general allegations in the same way as the other charge sheets, referred to above. According to the statement of Shri Chaudhry, he found that Shri Nand Singh was inciting employees, stopping willing workers, and threatening them, that, if they did work, they would meet with dire consequences. He also obstructed mining operations, including loading of wagons, continuously from 1st October, 1958 to 4th October, 1958. There is a note by the Enquiry Officer, that Shri Nand Singh wanted oath to be administered to the witnesses, and, when he was informed, that it was beyond the power of the Enquiry Officer to administer the oath, he refused to participate in the Enquiry. The witnesses examined on behalf of the management speak in a general way about the alleged obstruction, intimidation, and uttering threats, and prevention of loyal workers from doing their work. I have already pointed out, that this kind of general and vague charge cannot be relied upon, and this workman's case is on the same footing as that of the others. I may also point out, that the dismissal of this workman is also opposed to Standing Order 22, which lays down, that before resorting to the punishment of dismissal lesser punishment, as contemplated therein, should be imposed. In my opinion, the dismissal of Shri Nand Singh is not valid, or justified.

33. From a consideration of all circumstances, I am of opinion, that, except in the case of Shri Hussainia, the termination of service of all the workmen is neither lawful, nor justified, and there is also a contravention of Section 33 of the Industrial Disputes Act and that the action of the management cannot be up-held. I find accordingly.

Issue No. 6

34. The question next is about the relief, to which the several workmen are entitled with the exception of Hussainia. It has been argued by Shri Bhasin on behalf of the workmen, that the several workmen should not only be re-instated but should also be compensated by being allowed back wages from the time of dismissal upto the date of re-instatement. So far as the relief of re-instatement is concerned, I see no sufficient grounds for denying this relief. The argument that the management has lost confidence in these workmen and that they should not be re-instated is not entitled to acceptance. I find that they are entitled to the relief of re-instatement.

35. So far as the relief of compensation is concerned it is contended on behalf of the management, that it was very difficult for the witnesses to remember particularly the various acts of violence, and subversive activities, that the workmen were guilty of, and that this is not a case in which the workmen should be given back wages. It is true no doubt, that the workmen did not have any wages for the strike period, which went on for about for two months. Because they lost wages for the strike period, it is not possible to hold that they are entitled to back wages. It may be that the management have not been able to bring home the exact part played by these workmen. They are however not entitled to say, that they are entitled to back wages. It must also not be forgotten that the management also have suffered by reason of the strike. I find, that the workmen are not entitled to any back wages. All of the workmen are entitled to re-instatement, with the exception of Shri Hussainia, whose dismissal has been up-held.

36. (a) In the result, all the petitions filed by the management under Section 33, except the one against Shri Hussainia, i.e. O.P. No. 21 of 1959, are dismissed.

(b) All the petitions under Section 33A filed by the several workmen with the exception of that preferred by Shri Hussainia i.e. I.D. No. 374/59 are allowed in part, and the several workmen concerned in the said petitions shall be re-instated in service by the management within two weeks from the date when this award becomes enforceable, and shall be restored to their old or equivalent posts, which they held, on the same terms and conditions as before, and the period between the date of dismissal and the date of re-instatement shall not operate as a break in continuity of service; but these several petitioners shall however not be entitled to any compensation or back wages during the said period.

(c) O.P. No. 21 of 1959 is allowed, and approval is given to the action of the management in terminating the service of the opposite party therein, Shri Hussainia, and I.D. No. 374 of 1959 is dismissed.

(d) There will be no order as to costs in any of the above mentioned petitions both under Section 33 and 33A of the Industrial Disputes Act.

37. An award is passed accordingly as above in each of the petitions under Section 33A of Industrial Disputes Act, filed by the workmen.

E. KRISHNA MURTI,

(Thirty three pages.)

The 12th August, 1959.

Central Government Industrial Tribunal, Delhi.

[No. LRII-23(25)/59.]

New Delhi, the 12th September 1959

S.O. 2074.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of applications under section 33A of the said Act from certain workmen of the Central Kirkend Colliery.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

APPLICATION NO. 2 OF 1958—ARISING OUT OF

REFERENCE NO. 12 OF 1957.

PARTIES:

Akloo Nunia and 40 others—*Complainants.*

Vs.

Management of Central Kirkend Colliery—*Opposite party.*

APPLICATION NO. 5 OF 1958—ARISING OUT OF

REFERENCE NO. 12 OF 1957.

PARTIES:

Shri R. C. Tiwari and 113 others—*Complainants.*

Vs.

Management of Central Kirkend Colliery—*Opposite party.*

APPLICATION NO. 6 OF 1958—ARISING OUT OF

REFERENCE NO. 12 OF 1957.

PARTIES:

Jhari Bhuia and 67 others—*Complainants.*

Vs.

Management of Central Kirkend Colliery—*Opposite party.*

In the matter of complaints under Section 33A of the Industrial Disputes Act, 1947.

Dhanbad, dated the 25th August 1959.

PRESENT:

Shri Salim M. Merchant, B.A., LL.B., Presiding Officer.

APPEARANCES:

Shri D. L. Sen Gupta, Advocate, with Shri A. P. Gupta, Organising Secretary, and Shri B. N. Sharma, Member, Executive Committee, Colliery Mazdoor Sangh—for the complainants.

Shri S. S. Mukherjee, Advocate, with Shri D. Narsingh, Advocate, instructed by Shri S. C. Jain, Director, and Shri V. K. Talwar, Manager—for the opposite party.

STATE: BIHAR.

INDUSTRY: COAL.

AWARD

These are three complaints purporting to be under Section 33A of the Industrial Disputes Act, 1947 (XIV of 1947) and were filed during the pendency before this Tribunal of the industrial dispute in Reference No. 12 of 1957 in which I made my award on 1st November 1958, in terms of the settlement reached between the parties.

2. These complaints arise out of the closure of Pits Nos. 2 and 11 of the Central Kirkend Colliery and were filed between August and September 1958. During the pendency of those complaints the Government of India, by Order No. LR.II-1(77)/58, dated 23rd December 1958 referred the industrial dispute between the employers in relation to Central Kirkend Colliery and its workmen (Reference No. 68 of 1958) with regard to the justification of the closure of the Pits Nos. 2 and 11 of this colliery, to my adjudication. Upon that reference being

made, the complainants herein did not want to proceed with these complaints until the industrial dispute in Reference No. 68 of 1958 referred to above was disposed of. These complaints were therefore adjourned from time to time along with Reference No. 68 of 1958.

3. In reference No. 68 of 1958 the parties by consent referred the question of the justification of the closure of these two pits to the joint arbitration of Shri Saigal, Chief Mining Engineer, National Coal Development Corporation (Private) Limited and Shri B. H. Engineer, Chief Mining Engineer, Tata Iron and Steel Co. Ltd. The Arbitrators by their report, dated 13th August 1959 have held that the closure of Pits Nos. 2 and 11 of Central Kirkend Colliery was justified and the parties have abided by that finding, and accordingly I made my award thereto holding the closure to be justified.

4. At the hearing of these complaints on 24th August 1959, the representatives of the complainants stated that in view of the finding in Reference No. 68 of 1958 they did not wish to proceed with these complaints. Accordingly these complaints are dismissed, as not pressed.

5. No order as to costs.

(Sd.) SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal,
Dhanbad.

DHANBAD;
The 25th August, 1959.

[No. F. LR II/1(77)/58.]

ORDER

New Delhi, the 9th September 1959

S.O. 2075.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kathara, Bhurkunda and Saunda Collieries of the National Coal Development Corporation, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (4) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

- (1) What should be the wage structure of the workmen employed in the excavating section?
- (2) Whether the transfer of Sarvashri Lehna Singh and Omprakash Chopra from Saunda Colliery to Korha Colliery was justified? If not, to what relief are they entitled?

[No. F. LR II/1(55)59.]
PYARE LAL GUPTA, Under Secy.

New Delhi, the 11th September 1959

S.O. 2076.—In exercise of the powers conferred by section 83 of the Mines Act, 1952 (35 of 1952), the Central Government hereby exempts the workings of the mine specified in the column (1) of the Schedule below from the provisions of sub-regulation (5) of regulation 127 of the Coal Mines Regulations, 1957 subject to the conditions specified in column (2) thereof.

THE SCHEDULE

Name of the Mine (1)	Conditions attached (2)
7 Seam of New Sudamdih Collieries Private Ltd.	(1) Pillars shall be formed in accordance with the provisions of sub-regulation (4) of regulation 99. (2) The width and the height of the galleries shall not exceed 3.6 metres and 2.4 metres respectively.

[No. MI-6(9)/59.]

A. P. VEERA RAGHAVAN, Under Secy.

ORDERS

New Delhi, the 11th September 1959

S.O. 2077.—Whereas the Central Government is of opinion that an industrial dispute exists between M/s Dharsi Moolji and their workmen regarding the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the demand of the workmen of M/s Dharsi Moolji for bonus for the year 1957-58 is justified, and if so, the quantum of bonus payable.

[No. LRIV.28(32)/59.]

S.O. 2078.—Whereas an industrial dispute exists between the employers in relation to the Bombay Port Trust and their workmen, represented by the Bombay Port Trust Railwaymen's Union;

And whereas the Bombay Port Trust and the said Union have, under sub-section (1) of section 10-A of the Industrial Disputes Act, 1947 (14 of 1947), referred the dispute to arbitration by an Arbitration Agreement and have forwarded to the Central Government under sub-section (3) of the said section a copy of the said Arbitration Agreement;

Now, therefore, in pursuance of sub-section (3) of section 10-A of the said Act, the Central Government hereby publishes the said Arbitration Agreement.

AGREEMENT

(UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947.)

BETWEEN

The Trustees of the Port of Bombay

AND

The Workmen of the Trustees of the Port of Bombay belonging to the establishments of the Bombay Port Trust set out below and represented by the Bombay Port Trust Railwaymen's Union.

NAMES OF PARTIES

Representing Employers.—The Trustees of the Port of Bombay.

Representing Workmen.—The Bombay Port Trust Railwaymen's Union.

It is hereby agreed between the parties to refer the following industrial disputes to the sole arbitration of Shri F. Jeejeebhoy at present Presiding Officer, Central Government Industrial Tribunal, City Ice Building, Bazar Gate Street, Bombay.

(i) The matters in dispute are as follows:—

Demand No. 19.—That the Cashiers working at stations should be given the Risk Allowance of Rs. 10 p.m.

Demand No. 21.—That the injustice done to the watchmen Jamaikhan Ismailkhan be removed either by providing him with a quarter or granting him the House Rent Allowance in lieu thereof.

Demand No. 27.—That a liberalised policy (condonation of time-bar) should be followed in the matter of requests from the staff for change of their recorded dates of birth which were incorrect in cases such as that of Shri L. H. Mayekar, Assistant Station Master.

- (ii) The employers are the Trustees of the Port of Bombay incorporated by Bombay Act VI of 1879 having their principal offices at Ballard Road, Fort, Bombay, and the establishments of the Bombay Port Trust concerned in the disputes are—

Bombay Port Trust Railway Department,

Section.—Bombay Port Trust Railway "Station Establishment".

- (iii) The workmen's Union concerned is the Bombay Port Trust Railway-men's Union having its office at—

Bombay Port Trust Frere Land Estate, Kalachowky, Bombay—12.

- (iv) The total number of workmen employed in the establishment affected is—
1,514.

- (v) The estimated number of workmen affected or likely to be affected by the dispute is—

35.

We further agree that the decision of the said Arbitrator shall be binding on us.

Dated this twenty-eight day of August 1959.

Signed by

Shri Venilal Tribhovandas Dehejia—Chairman
and by Shri Madan Gopal Abrol and

Sd./- V. T. DEHEJIA—Chairman.

Sd./- M. G. ABROL—Trustee.

by Mr. Norman Henry Granville Grant

Sd./- N. H. G. GRANT—

Trustee.

two of the Trustees of the Port of
Bombay in the presence of

Sd./- E. H. SIMOES, Secy,
Bombay Port Trust.

The Common Seal of the
Trustees of the Port of Bombay
affixed in the presence of

Sd./- E. H. SIMOES,
Secretary,
Bombay Port Trust.

Witness:—

Sd./-

Sd./- G. H. KALE,
General Secretary,
Bombay Port Trust Railwaymen's
Union.

I, F. Jeejeebhoy, hereby consent to act as the Sole Arbitrator in this matter.

Sd./- F. JEEJEEBHOY.

[No. LR-IV-28(41)/59]

S.O. 2079.—Whereas an industrial dispute exists between the employers in relation to the Bombay Port Trust and their workmen represented by the Bombay Port Trust General Workers' Union;

And whereas the Bombay Port Trust and the said Union have, under sub-section (1) of section 10-A of the Industrial Disputes Act, 1947, (14 of 1947), referred the dispute to arbitration by an Arbitration Agreement and have forwarded to the Central Government under sub-section (3) of the said section a copy of the said Arbitration Agreement;

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said Arbitration Agreement.

AGREEMENT

(UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947).

BETWEEN

The Trustees of the Port of Bombay.

AND

The workmen of the Trustees of the Port of Bombay belonging to the establishments of the Bombay Port Trust set out below and represented by the Bombay Port Trust General Workers' Union.

NAMES OF PARTIES

Representing Employers.—The Trustees of the Port of Bombay.

Representing Workmen.—The Bombay Port Trust General Workers' Union.

It is hereby agreed between the parties to refer the following industrial disputes to the sole arbitration of Shri F. Jeejeebhoy at present Presiding Officer, Central Government Industrial Tribunal, City Ice Building, Bazar Gate Street, Bombay.

(i) The matters in dispute are as follows:—

20. "Rat catchers" should be paid 'Unclean Allowance' as is being paid to the Sweepers and Scavengers.
21. A post of Shore Syrang, 1st grade, be sanctioned for the Butcher Island, Shore Establishment of the Port Department.
22. The staff working under the Oil Pipe Line and Power House of the Oil Terminal at Butcher Island be supplied with Rain Coats.
23. The mazdoors working under the Controller of Stores be supplied with Kamlies once in every alternate year instead of the present 'pool system'.
27. Shri R. V. Akerkar, Clerk, Railway Manager's Office, be paid his arrears of acting allowance for the period of 1st January, 1947 to 9th November, 1948.
28. Shri V. R. Komurlekar, Clerk, Controller of Store's Department, who was appointed as a 'Timber Clerk', be designated as such and be granted a suitable scale of pay in recognition of the specialised nature of work with effect from the date of his appointment.
35. In the new Refuge Trucks under the Docks Department, the strength of the men be increased to nine.
37. The shore crews working at the Prince's & Victoria Docks, appointed after the introduction of 'two shifts' working, be also provided with Dormitory accommodation and Bhandaris.
28. Shri V. R. Komurlekar, Clerk, Controller of Store's Department, who Officers" as is in existence at Calcutta Port and be given similar scales of pay and suitable uniforms.
44. Those ex-Karachi Port Trust employees, who were absorbed as indoor clerks in the Bombay Port Trust, should be allowed the advance increments on the basis of their service in the Karachi Port Trust, in terms of T.R. No. 720 dated 13th September 1949, in addition to the advance increments in terms of T.R. No. 502 dated 17th September 1946, by reason of their being graduates or Honours graduates.

(ii) The employers are the Trustees of the Port of Bombay incorporated by Bombay Act VI of 1879 having their principal offices at Ballard Road, Fort, Bombay, and the establishments of the Bombay Port Trust concerned in the disputes are—

- (1) The Docks Department, Bombay Port Trust.
- (2) The Port Department, Bombay Port Trust, Establishment Section.
- (3) The Chief Engineer's Department, Bombay Port Trust, Marine Oil Terminal, Butcher Island.
- (4) The Controller of Stores's Department, Bombay Port Trust, Mazagon, Bombay-10.

- (5) The Railway Department, Bombay Port Trust, Office Establishment Section.
- (6) The Chief Accountant's Department, Bombay Port Trust.
- (iii) The Workmen's Union concerned is the Bombay Port Trust General Workers' Union having its office at Kavarana Building, 1st floor, 26, Frere Road, Bombay—9
- (iv) The total number of workmen employed in the establishments affected is 11,685.
- (v) The estimated number of workmen affected or likely to be affected by the disputes is 726.

We further agree that the decision of the said Arbitrator shall be binding on us.

Dated this twenty-eighth day of August 1959.

Shri Venilal Tribhovandas Dehejia—

Chairman and by Shri Madan

Gopal Abrol and by Mr. Norman

Henry Granville Grant two of

the Trustees of the Port of Bom-

bay in the presence of

Signed by

(Sd.) V. T. DEHEJIA—Chairman

(Sd.) M. G. ABROL—Trustee.

(Sd.) N. H. G. GRANT—Trustee

(Sd.) E. H. SIMOES,

Secretary,
Bombay Port Trust.

The Common Seal of the Trustees of the Port of Bombay affixed in the presence of

(Sd.) E. H. SIMOES,
Secretary,
Bombay Port Trust.

Witness:—

(Sd.) PADMANABHAN NAIR,
21, Matarpakdi Road,
Mazagaon, Bombay-10.

(Sd.) S. MAITRA,
General Secretary,
Bombay Port Trust General
Workers' Union.

I, F. Jeejeebhoy, hereby consent to act as the Sole Arbitrator in this matter.

(Sd.) F. JEEJEEBHoy.

31-8-59.

[No. L. R. IV. 28(41)/59.]

A. L. HANDA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi-2, the 14th September 1959

S.O. 2080.—In pursuance of sub-rule (2) of rule 11, Clause (b) of sub-rule (2) of Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendment in the schedule to the Notification of the Government of India in the Ministry of Information and Broadcasting, No. SRO-618 dated the 28th February, 1957, namely:—

In the said Schedule, in Part II. under the heading "All India Radio" and sub-heading "Subordinate Offices", for the words "Head of Office" in Columns 2 and 3 the words and brackets "Deputy Director General (Administration)" shall be substituted.

[No. 6(75)/58-BA.]

C. B. L. MATHUR, Under Secy.

